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ABSTRACT

This document contains the text of the legislation called the "School-to-Work Opportunities Act of 1993," the amendment proposed for the pending legislation, and supplemental views, including cost estimate. Sections of the proposed legislation include the following: table of contents, basic program components, implementation grants to states, grants to local partnerships, national programs and reports, waiver of statutory and regulatory requirements, safeguards, and reauthorization legislation for the Job Training for the Homeless Demonstration Program under the Stewart B. McKinney Homeless Assistance Act. The legislation is proposed to do the following: (1) establish a national framework within which all states can create statewide School-to-Work Opportunities systems that are a part of comprehensive education reform; (2) use workplaces as active learning components in the educational process by making employers joint partners with educators in providing opportunities for all students to participate in high-quality, work-based learning experiences; (3) use federal funds to pay the initial costs of planning and establishing School-to-Work Opportunities systems; (4) help all students attain high academic and occupational standards; (5) build on and advance promising systems such as tech prep, career academies; school-to-apprenticeship programs, cooperative education, and other programs; and (6) promote education for high risk youths and prevent them from dropping out of school. (KC)

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103D CONGRESS
1st Session
HOUSE OF REPRESENTATIVES
REPORT
103–345

ED 367 914

SCHOOL-TO-WORK OPPORTUNITIES ACT OF 1993

NOVEMBER 10, 1993.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. FORD of Michigan, from the Committee on Education and Labor, submitted the following

REPORT

together with

SUPPLEMENTAL VIEWS

[To accompany H.R. 2884]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and Labor, to whom was referred the bill (H.R. 2884) to establish a national framework for the development of School-to-Work Opportunities systems in all States, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "School-to-Work Opportunities Act of 1993".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Purposes and congressional intent.
Sec. 4. Definitions.
Sec. 5. Federal administration.
Sec. 6. Authorization of appropriations.

TITLE I—SCHOOL-TO-WORK OPPORTUNITIES BASIC PROGRAM COMPONENTS

Sec. 101. General program requirements.
Sec. 102. Work-based learning component.
Sec. 103. School-based learning component.
Sec. 104. Connecting activities component.

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Sec. 405. Reports to Congress.

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Sec. 501. State and local partnership requests and responsibilities for waivers.
Sec. 502. Waiver authority of Secretary of Education.
Sec. 503. Waiver authority of Secretary of Labor.
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TITLE VII—REAUTHORIZATION OF JOB TRAINING FOR THE HOMELESS DEMONSTRATION PROGRAM UNDER THE STEWART B. McKINNEY HOMELESS ASSISTANCE ACT

Sec. 701. Reauthorization.

SEC. 2. FINDINGS.

The Congress finds that—

(1) three-fourths of all high school students in the United States enter the workforce without baccalaureate degrees, and many do not possess the academic and entry-level occupational skills necessary to succeed in the changing workplace;

(2) a substantial number of youths in the United States, especially disadvantaged students, students of diverse racial, ethnic, and cultural backgrounds, and students with disabilities, do not complete school;

(3) unemployment among youths in the United States is intolerably high, and earnings of high school graduates have been falling relative to those individuals with more education;

(4) the workplace in the United States is changing in response to heightened international competition and new technologies, and these forces, which are ultimately beneficial to the Nation, are shrinking the demand for and undermining the earning power of unskilled labor;

(5) the United States lacks a comprehensive and coherent system to help its youths acquire knowledge, skills, abilities, and information about and access to the labor market necessary to make an effective transition from school to career-oriented work or to further education and training;

(6) students in the United States can achieve high academic and occupational standards, and many learn better and retain more when they learn in context, rather than in the abstract;

(7) while many students in the United States have part-time jobs, there is infrequent linkage between those work experiences and either the student's career planning or exploration, or with school-based learning;

(8) work-based learning, which is modeled after the time-honored apprenticeship concept, integrates theoretical instruction with structured on-the-job training, and this approach, combined with school-based learning, can be very effective in engaging student interest, enhancing skill acquisition, developing positive work attitudes, and preparing youths for high-skill, high-wage careers;

(9) Federal resources currently fund a series of categorical, work-related education and training programs, many of which serve disadvantaged youths, that are not administered in a coordinated manner; and

(10) in 1992 approximately 3,400,000 individuals in the United States ages 16 through 24 had not completed high school and were not currently enrolled in school, a number representing approximately 11 percent of all individuals in this age group, which indicates that these young persons are particularly unprepared for the demands of a 21st century workforce.

SEC. 3. PURPOSES AND CONGRESSIONAL INTENT.

(a) PURPOSES.—The purposes of this Act are to—

(1) establish a national framework within which all States can create statewide School-to-Work Opportunities systems that are a part of comprehensive education reform, that are integrated with the systems developed under the Goals 2000: Educate America Act, and that offer opportunities for all students to participate in a performance-based education and training program that will enable them to earn portable credentials, prepare them for a first job in a high-skill, high-wage career, and increase their opportunities for further education;

(2) utilize workplaces as active learning components in the educational process by making employers joint partners with educators in providing opportunities for all students to participate in high-quality, work-based learning experiences;

(3) use Federal funds as venture capital, to underwrite the initial costs of planning and establishing statewide School-to-Work Opportunities systems that will be maintained with other Federal, State, and local resources;

(4) promote the formation of partnerships that are dedicated to linking the worlds of school and work among secondary and postsecondary educational institutions, private and public employers, organized labor, government, community-based organizations, parents, students, and local education and training agencies;

(5) promote the formation of partnerships between elementary, middle, and secondary schools and local businesses as an investment in future workplace productivity and competitiveness;

(6) help all students attain high academic and occupational standards;

(7) build on and advance a range of promising school-to-work programs, such as tech-prep education, career academies, school-to-apprenticeship programs, cooperative education, youth apprenticeship, business-education compacts, and promising strategies that assist school dropouts that can be developed into programs funded under this Act;

(8) improve the knowledge and skills of youths by integrating academic and occupational learning, integrating school-based and work-based learning, and building effective linkages between secondary and postsecondary education;

(9) motivate all youths, including low-achieving youths, school dropouts, and youths with disabilities to stay in or return to school or a classroom setting and strive to succeed by providing enriched learning experiences and assistance in obtaining high skill, high wage employment and continuing their education in secondary and postsecondary educational institutions;

(10) expose students to the vast array of career opportunities and facilitate the selection of career majors based on individual interests, goals, strengths, and abilities;

(11) increase opportunities for minorities and women by enabling individuals to prepare for careers which are not traditional for their race or gender; and

(12) further the National Education Goals set forth in title I of the Goals 2000: Educate America Act.

(b) CONGRESSIONAL INTENT.—It is the intent of the Congress that the Secretary of Labor and the Secretary of Education jointly administer this Act in a flexible manner that—

(1) promotes State and local discretion in establishing and implementing School-to-Work Opportunities systems and programs; and

(2) contributes to reinventing government by building on State and local capacity, eliminating duplication, supporting locally established initiatives, requiring measurable goals for performance, and offering flexibility in meeting these goals.

SEC. 4. DEFINITIONS.

For purposes of this Act, the following definitions apply:

(1) ALL STUDENTS.—The term "all students" means male and female students from a broad range of backgrounds and circumstances, including disadvantaged students, students with diverse racial, ethnic, and cultural backgrounds, American Indians, Alaskan Natives, Native Hawaiians, students with disabilities, students with limited English proficiency, migrant children, school dropouts, and academically talented students.

(2) APPROVED STATE PLAN.—The term "approved State plan" or "approved plan" means a State plan to establish a School-to-Work Opportunities system that is submitted by a State to the Secretaries under section 213 and approved by the Secretaries in accordance with section 214.

(3) CAREER GUIDANCE AND COUNSELING.—The term "career guidance and counseling" means programs—

(A) which pertain to the body of subject matter and related techniques and methods organized for the development in individuals of career awareness, career planning, career decisionmaking, placement skills, and knowledge and understanding of local, State, and national occupational, educational, and labor market needs, tends, and opportunities;

(B) which assist individuals in making and implementing informed educational and occupational choices; and

(C) which aid students to develop career options with attention to surmounting gender, race, ethnic, disability, language, or socioeconomic impediments to career options and encouraging careers in nontraditional occupations.

(4) CAREER MAJOR.—The term "career major" means a coherent sequence of courses or field of study that prepares a student for a first job and that—

(A) integrates occupational and academic learning, integrates work-based and school-based learning, and establishes linkages between secondary and postsecondary education;

(B) prepares the student for employment in broad occupational clusters or industry sectors;

(C) typically includes at least 2 years of secondary school and 1 or 2 years of postsecondary education;

(D) results in the award of a high school diploma, a General Equivalency Diploma, or alternative diploma or certificate for those students with disabilities for whom such alternative diploma or certificate is appropriate, a certificate or diploma recognizing successful completion of 1 or 2 years of postsecondary education (if appropriate), and a skill certificate; and

(E) may lead to further training, such as entry into a registered apprenticeship program, or admission into a degree-granting college or university.

(5) COMMUNITY-BASED ORGANIZATIONS.—The term "community-based organizations" has the meaning given such term in section 4(5) of the Job Training Partnership Act (29 U.S.C. 1503(5)).

(6) ELEMENTS OF AN INDUSTRY.—The term "elements of an industry" means, with respect to a particular industry that a student is preparing to enter, such elements as planning, management, finances, technical and production skills, underlying principles of technology, labor and community issues, health and safety, and environmental issues related to that industry.

(7) EMPLOYER.—The term "employer" includes both public and private employers.

(8) GOVERNOR.—The term "Governor" means the chief executive of a State.

(9) LOCAL EDUCATIONAL AGENCY.—The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(10) LOCAL PARTNERSHIP.—The term "local partnership" means a local entity that is responsible for local School-to-Work Opportunities programs and that—

(A) consists of employers, representatives of local educational agencies and local postsecondary educational institutions (including representatives of area vocational education schools, where applicable), local educators (such as teachers, counselors, or administrators), representatives of organized labor, other representatives of non-managerial employees, and students; and

(B) may include other entities, such as—

(i) employer organizations;

(ii) community-based organizations;

(iii) national trade associations working at the local levels;

(iv) industrial extension centers;

(v) rehabilitation agencies and organizations;

(vi) registered apprenticeship agencies;

(vii) local vocational education entities;

(viii) proprietary institutions of higher education (as defined in section 481(b) of the Higher Education Act of 1965, (20 U.S.C. 1088(b)) which continue to meet the eligibility and certification requirements under section 498 of such Act;

(ix) local government agencies;

(x) parent organizations;

(xi) teacher organizations;

(xii) vocational student organizations;

(xiii) private industry councils established under section 102 of the Job Training Partnership Act (29 U.S.C. 1512);

(xiv) federally recognized Indian tribes, Indian organizations, and Alaska Native villages; and

(xv) Native Hawaiians.

(11) POSTSECONDARY EDUCATIONAL INSTITUTION.—The term "postsecondary education institution" means an institution of higher education (as such term is defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) which continues to meet the eligibility and certification requirements under section 498 of such Act.

(12) REGISTERED APPRENTICESHIP AGENCY.—The term "registered apprenticeship agency" means either—

(A) the Bureau of Apprenticeship and Training in the Department of Labor; or

(B) a State apprenticeship agency recognized and approved by the Bureau of Apprenticeship and Training as the appropriate body for State registration or approval of local apprenticeship programs and agreements for Federal purposes.

(13) REGISTERED APPRENTICESHIP PROGRAM.—The term "registered apprenticeship program" means a program registered by a registered apprenticeship agency.

(14) RELATED SERVICES.—The term "related services" includes the types of services described in section 602(17) of the Individuals with Disabilities Education Act (20 U.S.C. 1401(17)).

(15) SCHOOL DROPOUT.—The term "school dropout" means an individual who is no longer attending any school, is subject to a compulsory attendance law, and who has not received a secondary school diploma or a certificate from a program of equivalency for such a diploma.

(16) SCHOOL SITE MENTOR.—The term "school site mentor" means a professional employed at the school who is designated as the advocate for a particular student, and who works in consultation with classroom teachers, counselors, and the employer to design and monitor the progress of the student's school-to-work program.

(17) SECRETARIES.—The term "Secretaries" means the Secretary of Education and the Secretary of Labor.

(18) SKILL CERTIFICATE.—The term "skill certificate" means a portable, industry-recognized credential issued by a School-to-Work Opportunities program under an approved plan, that certifies that a student has mastered skills at levels that are at least as challenging as skill standards endorsed by the National Skill Standards Board established under the Goals 2000: Educate America Act, except that until such skill standards are developed, the term "skill certificate" means a credential issued under a process described in a State's approved plan.

(19) STATE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term "State" means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

(B) TITLES IV AND V.—For purposes of titles IV and V, the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau.

(20) STATE EDUCATIONAL AGENCY.—The term "State educational agency" means the officer or agency primarily responsible for the State supervision of public elementary and secondary schools.

(21) WORKPLACE MENTOR.—The term "workplace mentor" means an employee at the workplace who possesses the skills and knowledge to be mastered by a student, and who instructs the student, critiques the student's performance, challenges the student to perform well, and works in consultation with classroom teachers and the employer.

SEC. 5. FEDERAL ADMINISTRATION.

(a) JOINT ADMINISTRATION.—

(1) IN GENERAL.—Notwithstanding the Department of Education Organization Act (20 U.S.C. 3401 et seq.), the General Education Provisions Act (20 U.S.C. 1221 et seq.), the statutory provisions relating to the establishment of the Department of Labor (29 U.S.C. 551 et seq.), and section 166 of the Job Training Partnership Act (29 U.S.C. 1576), the Secretaries shall jointly provide for the administration of this Act, and may issue whatever procedures, guidelines, and regulations, in accordance with section 553 of title 5, United States Code, they deem necessary and appropriate to administer and enforce the provisions of this Act.

(2) SUBMISSION OF PLAN.—Not later than 120 days after the date of the enactment of this Act, the Secretaries shall develop and submit a plan for the joint administration of this Act to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate for review and comment on such plan by such committees.

(b) TERMINATION OR SUSPENSION OF ASSISTANCE.—

(1) IN GENERAL.—The Secretaries may terminate or suspend any financial assistance under this Act, in whole or in part, or not extend payments under an existing grant under this Act, if the Secretaries determine that a recipient has failed to meet any requirements of this Act, including—

(A) reporting requirements under section 402(c);

(B) regulations under this Act; or

(C) an approved plan submitted pursuant to this Act.

(2) NOTICE AND OPPORTUNITY FOR HEARING.—If the Secretaries terminate or suspend financial assistance, or do not extend payments under an existing grant under paragraph (1), with respect to recipient or proposed recipient, then the Secretaries shall provide—

(A) prompt notice to such recipient or proposed recipient; and

(B) the opportunity for a hearing to such recipient or proposed recipient not later than 30 days after the date on which such notice is provided.

(3) NONDELEGATION.—The Secretaries shall not delegate any of the functions or authority specified under this subsection, other than to an officer whose appointment was required to be made by and with the advice and consent of the Senate.

(c) ACCEPTANCE OF GIFTS.—The Secretaries are authorized, in carrying out this Act, to accept, purchase, or lease in the name of the Department of Labor or the Department of Education, and employ or dispose of in furtherance of the purposes of this Act, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise.

(d) USE OF VOLUNTARY AND UNCOMPENSATED SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Secretaries are authorized to accept voluntary and uncompensated services in furtherance of the purposes of this Act.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretaries to carry out this Act $300,000,000 for fiscal year 1995 and such sums as may be necessary for each of the fiscal years 1996 through 2002.

(b) RESERVATIONS.—From amounts appropriated under subsection (a) for any fiscal year, the Secretaries—

(1) shall reserve an amount equal to not more than one half of 1 percent of such amounts for such fiscal year to provide grants under sections 202(b) and 212(b) to the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau;

(2) shall reserve an amount equal to not more than one half of 1 percent of such amounts for such fiscal year to provide grants under subtitle C of title II to establish and carry out School-to-Work Opportunities programs for Indian youths that involve Bureau funded schools (as defined in section 1139(3) of the Education Amendments of 1978 (25 U.S.C. 2019(3)));

(3) shall reserve an amount equal to 10 percent of such amounts for such fiscal year to provide grants under section 302(b) to local partnerships located in high poverty areas; and

(4) may reserve an amount equal to not more than 5 percent of such amounts for such fiscal year to carry out title IV.

(c) AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

TITLE I—SCHOOL-TO-WORK OPPORTUNITIES BASIC PROGRAM COMPONENTS

SEC. 101. GENERAL PROGRAM REQUIREMENTS.

A School-to-Work Opportunities program under this Act shall—

(1) integrate work-based learning and school-based learning, as provided for in sections 102 and 103, integrate academic and occupational learning, and build effective linkages between secondary and postsecondary education;

(2) provide all students opportunities to complete a career major; and

(3) incorporate the basic program components provided in sections 102 through 104.

SEC. 102. WORK-BASED LEARNING COMPONENT.

The work-based learning component of a School-to-Work Opportunities program shall include—

(1) a planned program of job training and work experiences, including preemployment and employment skills to be mastered at progressively higher levels, that are relevant to a student's career major and lead to the award of a skill certificate;

(2) paid work experience;

(3) workplace mentoring;

(4) instruction in general workplace competencies; and

(5) broad instruction in a variety of elements of an industry.

SEC. 103. SCHOOL-BASED LEARNING COMPONENT.

The school-based learning component of a School-to-Work Opportunities program shall include—

(1) career awareness and career exploration and counseling (beginning at the earliest possible age, but beginning no later than the middle school grades) in order to help students who may be interested to identify, and select or reconsider, their interests, goals, and career majors, including those options that may not be traditional for their gender, race, or ethnicity;

(2) initial selection by interested students of a career major not later than the beginning of the 11th grade;

(3) a program of study designed to meet the same academic content standards the State has established for all students, including, where applicable, standards established under the Goals 2000: Educate America Act, and to meet the requirements necessary for a student to earn a skill certificate;

(4) a program of instruction and curriculum that integrates academic and vocational learning (including applied methodologies and team-teaching strategies), and incorporates instruction in a variety of elements of an industry, appropriately tied to a participant's career major;

(5) regularly scheduled evaluations involving ongoing consultation with students and school dropouts to identify their academic strengths and weaknesses, academic progress, workplace knowledge, goals, and the need for additional learning opportunities to master core academic and vocational skills; and

(6) mechanisms which allow students participating in a school-to-work program to transfer to a post-secondary program.

SEC. 104. CONNECTING ACTIVITIES COMPONENT.

The connecting activities component of a School-to-Work Opportunities program shall include—

(1) matching students with employers' work-based learning opportunities;

(2) serving as a liaison among the employer, school, teacher, parent, student, and, if appropriate, other community partners;

(3) providing technical assistance and services to employers, including small and medium sized businesses, and others in designing work-based and school-based learning components, counseling and case management services, and in the training of teachers, workplace mentors, school site mentors, and counselors;

(4) providing assistance to schools and employers to integrate school-based and work-based learning and integrate academic and occupational learning;

(5) providing assistance to participants who have completed the program in finding an appropriate job, continuing their education, or entering into an additional training program, and linking students with other community services which may be necessary to assure a successful transition from school to work;

(6) collecting information regarding post-program outcomes of participants in the School-to-Work Opportunities program and analyzing such information, to the extent practicable, on the basis of socioeconomic status, race, gender, ethnicity, disability, limited English proficiency, school dropouts, and academically talented students; and

(7) linking youth development activities under this Act with employer and industry strategies for upgrading the skills of their workers.

TITLE II—SCHOOL-TO-WORK OPPORTUNITIES SYSTEM DEVELOPMENT AND IMPLEMENTATION GRANTS TO STATES

Subtitle A—State Development Grants

SEC. 201. PURPOSE.

The purpose of this subtitle is to assist States and the territories in planning and developing comprehensive, statewide systems for school-to-work opportunities.

SEC. 202. AUTHORIZATION.

(a) IN GENERAL.—The Secretaries may provide development grants to States in such amounts as the Secretaries determine is necessary to enable such States to complete development of comprehensive, statewide School-to-Work Opportunities systems that may have begun with funds provided under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) and the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.).

(b) GRANTS TO TERRITORIES.—From amounts reserved under section 6(b)(1), the Secretaries shall provide grants in accordance with this subtitle to the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau, to complete development of comprehensive School-to-Work Opportunities systems in those territories.

SEC. 203. APPLICATION.

(a) IN GENERAL.—The Secretaries may not provide a development grant under section 202 to a State unless the State submits to the Secretaries an application in such form and containing such information as the Secretaries may reasonably require.

(b) COORDINATION WITH GOALS 2000: EDUCATE AMERICA ACT.—A State seeking assistance under both this Act and the Goals 2000: Educate America Act may—

(1) submit a single application containing plans that meet the requirements of both Acts and ensure that both plans are coordinated and not duplicative; or

(2) if such State has already submitted its application for funds under the Goals 2000: Educate America Act, submit its application under this Act as an amendment to the Goals 2000: Educate America Act application so long as such amendment meets the requirements of this Act and is coordinated with and not duplicative of the Goals 2000: Educate America Act application.

(c) CONTENTS.—Such application shall include—

(1) a timetable and an estimate of the amount of funding needed to complete the planning and development necessary to implement a comprehensive, statewide School-to-Work Opportunities system for all students;

(2) a description of how the Governor, the State educational agency, the State agency officials responsible for vocational education, job training, and employment, economic development, and postsecondary education, the State sex equity coordinator assigned under section 111(b)(1) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2321(b)(1)), and other appropriate officials will collaborate in the planning and development of the State School-to-Work Opportunities system;

(3) a description of how the State has enlisted and will continue to enlist the active and continued participation in the planning and development of the statewide School-to-Work Opportunities system of employers and other interested parties such as locally elected officials, secondary and postsecondary educational institutions or agencies, business associations, industrial extension centers, employees, organized labor, teachers, related services personnel, students, parents, community-based organizations, Indian tribes, rehabilitation agencies and organizations, registered apprenticeship agencies, and vocational educational agencies;

(4) a description of how the State will coordinate its planning activities with each local partnership within the State that has received a grant under title III, if any;

(5) a designation of a fiscal agent to receive and be accountable for funds provided from a grant under section 202; and

(6) a description of how the State will provide opportunities for students from low-income families, low achieving students, students with limited English proficiency, and school dropouts to participate in school-to-work programs.

SEC. 204. USE OF AMOUNTS.

The Secretaries may not provide a development grant under section 202 to a State unless the State agrees that it will use all amounts received from such grant to develop a statewide School-to-Work Opportunities system, which may include—

(1) identifying or establishing an appropriate State structure to administer the School-to-Work Opportunities system;

(2) identifying existing secondary and postsecondary school-to-work programs which might be incorporated into the State system;

(3) identifying or establishing broad-based partnerships among employers, labor, education, government, and other community-based organizations and parent organizations to participate in the design, development, and administration of School-to-Work Opportunities programs;

(4) developing a marketing plan to build consensus and support for School-to-Work Opportunities programs;

(5) promoting the active involvement of business (including small and medium sized businesses) in planning, developing, and implementing local School-to-Work Opportunities programs, and in establishing partnerships with elementary, middle, and secondary schools;

(6) identifying ways that existing local school-to-work programs could be coordinated with the statewide School-to-Work Opportunities system;

(7) supporting local School-to-Work Opportunities planning and development activities to provide guidance, training and technical assistance for teachers, employers, mentors, counselors, administrators, and others, in the development of School-to-Work Opportunities programs;

(8) developing training programs for teachers, counselors, mentors, and others on counseling and training women, minorities, and individuals with disabilities for high-skill, high-wage careers in non-traditional occupations;

(9) initiating pilot programs for testing key components of State program design;

(10) developing a State process for issuing skill certificates that is consistent with the work of the National Skill Standards Board and the criteria established under Goals 2000: Educate America Act;

(11) designing challenging curricula in cooperation with representatives of local partnerships;

(12) developing a system for labor market analysis and strategic planning for local targeting of industry sectors or broad occupational clusters;

(13) analyzing the post high school employment experiences of recent high school graduates and dropouts;

(14) preparing the plan required for submission of an application for an implementation grant under subtitle B;

(15) working with localities to develop strategies to recruit and retain all students in programs under this Act, including those from a broad range of backgrounds and circumstances, through collaborations with community-based orga-

nizations, where appropriate, and other entities with expertise in working with these students; and

(16) coordinating recruitment of out-of-school, at-risk, and disadvantaged youths with those organizations and institutions who have a successful history of working with such youths.

SEC. 205. ALLOCATION REQUIREMENT.

The Secretaries may not provide a development grant under section 202 to any State in an amount exceeding $1,000,000 in any fiscal year.

SEC. 206. REPORTS.

The Secretaries may not provide a development grant under section 202 to a State unless the State agrees that it will submit to the Secretaries such periodic reports as the Secretaries may reasonably require relating to the use of amounts from such grant.

Subtitle B—State Implementation Grants

SEC. 211. PURPOSE.

The purpose of this subtitle is to assist States and the territories in the implementation of comprehensive, statewide School-to-Work Opportunities systems.

SEC. 212. AUTHORIZATION.

(a) IN GENERAL.—The Secretaries may provide implementation grants to States in such amounts as the Secretaries determine is necessary to enable such States to implement comprehensive, statewide School-to-Work Opportunities systems.

(b) GRANTS TO TERRITORIES.—From amounts reserved under section 6(b)(1), the Secretaries shall provide grants in accordance with this subtitle to the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau, to implement comprehensive School-to-Work Opportunities systems in those territories.

(c) PERIOD OF GRANT.—The provision of payments under a grant under subsection (a) or subsection (b) shall extend over a period of 5 fiscal years and shall be subject to the annual approval of the Secretaries and subject to the availability of appropriations for the fiscal year involved to make the payments.

(d) LIMITATION.—A State or territory shall be eligible to receive only 1 implementation grant under subsection (a) or subsection (b), as the case may be.

SEC. 213. APPLICATION.

(a) IN GENERAL.—The Secretaries may not provide an implementation grant under section 212 to a State unless the State submits to the Secretaries an application in such form and containing such information as the Secretaries may reasonably require.

(b) COORDINATION WITH GOALS 2000: EDUCATE AMERICA ACT.—A State seeking assistance under both this Act and the Goals 2000: Educate America Act may—

(1) submit a single application containing plans that meet the requirements of both Acts and ensure that both plans are coordinated and not duplicative; or

(2) if such State has already submitted its application for funds under the Goals 2000: Educate America Act, submit its application under this Act as an amendment to the Goals 2000: Educate America Act application so long as such amendment meets the requirements of this Act and is coordinated with and not duplicative of the Goals 2000: Educate America Act application.

(c) CONTENTS.—Such application shall include—

(1) a plan for a comprehensive, statewide School-to-Work Opportunities system under a State plan that meets the requirements described in subsection (d);

(2) a description of how the State will allocate funds under this Act to local partnerships; and

(3) a request, if the State decides to submit such a request, for 1 or more waivers of certain statutory or regulatory requirements, as provided for under title V.

(d) STATE PLAN.—A State plan shall—

(1) designate the geographical areas to be served by local partnerships, which shall, to the extent feasible, reflect local labor market areas;

(2) describe how the State will stimulate and support local School-to-Work Opportunities programs that meet the requirements of this Act, and how the

State's system will be expanded over time to cover all geographic areas in the State, including urban and rural areas;

(3) describe the procedure by which the Governor, the State educational agency, the State agency officials responsible for vocational education, job training and employment, economic development, and postsecondary education, the State sex equity coordinator assigned under section 111(b)(1) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2321(b)(1)), and other appropriate officials will collaborate in the implementation of the School-to-Work Opportunities system;

(4) describe how the State has obtained and will continue to obtain the active involvement in the statewide School-to-Work Opportunities system of employers and other interested parties such as locally elected officials, secondary and postsecondary educational institutions or agencies, business associations, industrial extension centers, employees, organized labor, teachers, related services personnel, students, parents, community-based organizations, rehabilitation agencies and organizations, registered apprenticeship agencies, local vocational educational agencies, vocational student organizations, and State or regional cooperative education associations;

(5) describe how the School-to-Work Opportunities system will coordinate with or integrate existing local school-to-work programs and other appropriate programs, including those financed from State and private sources, with funds available from related programs under other provisions of Federal law, such as—

(A) the Adult Education Act (20 U.S.C. 1201 et seq.);

(B) the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.);

(C) the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.);

(D) the Higher Education Act of 1965 (20 U.S.C. 2701 et seq.);

(E) the Job Opportunities and Basic Skills Training Program authorized under part F of title IV of the Social Security Act (42 U.S.C. 681 et seq.);

(F) the Goals 2000: Educate America Act;

(G) the Individuals With Disabilities Education Act (20 U.S.C. 1400 et seq.);

(H) the Job Training Partnership Act (29 U.S.C. 1501 et seq.);

(I) the National Apprenticeship Act (29 U.S.C. 50 et seq.);

(J) the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.); and

(K) the National and Community Service Trust Act of 1993;

(6) describe the State's strategy for providing training for teachers, employers, mentors, counselors, and others, including programs which focus on the counseling and training of women, minorities, and individuals with disabilities for high-skill, high-wage careers in non-traditional occupations, and provide assurance of coordination with such activities in other Acts;

(7) describe how the State will adopt, develop, or assist local partnerships in the development of model curricula and innovative instructional methodologies, to be used in the secondary, and where possible, the elementary grades, that integrate academic and vocational learning and promote career awareness, and that are consistent with academic and skill standards established pursuant to the Goals 2000: Educate America Act;

(8) describe how the State will expand and improve career and academic counseling in the elementary and secondary grades, which may include linkages to career counseling and labor market information services outside of the school system;

(9) describe the resources, including private sector resources, the State intends to employ in maintaining the School-to-Work Opportunities system when funds under this Act are no longer available;

(10) describe how the State will ensure effective and meaningful opportunities for all students to participate in School-to-Work Opportunities programs;

(11) describe the State's goals and the methods it will use, such as awareness and outreach, to ensure opportunities for young women to participate in School-to-Work Opportunities programs in a manner that leads to employment in high-performance, high-paying jobs, including nontraditional employment, and goals to ensure an environment free from racial and sexual harassment;

(12) describe how the State will ensure opportunities for low achieving students, students with disabilities, and school dropouts to participate in School-to-Work Opportunities programs;

(13) describe the State's process for assessing the skills and knowledge required in career majors and awarding skill certificates that is consistent with

the work of the National Skill Standards Board and the criteria established under Goals 2000: Educate America Act;

(14) describe the manner in which the State will, to the extent feasible, continue programs funded under title III in the State School-to-Work Opportunities system;

(15) describe how local school-to-work programs, including those funded under title III, if any, will be integrated into the State School-to-Work Opportunities system;

(16) describe the performance standards that the State intends to meet in establishing and carrying out the School-to-Work Opportunities system, including how the standards developed under section 115 of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.) have been incorporated into such performance standards or are used in coordination with such standards;

(17) designate a fiscal agent to receive and be accountable for funds provided from a grant under section 212; and

(18) describe the means by which students who are involved in a school-to-work program may transfer to a post-secondary program.

(e) SIMILAR AUTHORITY OF OTHER OFFICIALS OR ENTITIES NOT SUPERSEDED.—Nothing in this section shall be construed to negate or supersede the authority of any official or entity responsible under State or other applicable law for authority that is similar to authority specified under this Act.

SEC. 214. REVIEW OF APPLICATION.

(a) IN GENERAL.—The Secretaries shall review each application submitted by a State under section 213, including the State plan contained in such application, and shall approve or disapprove such application in accordance with this section.

(b) APPROVAL CRITERIA.—The Secretaries may approve an application only if the State demonstrates in the application—

(1) that the State plan is replicable, sustainable, and innovative;

(2) that the officials listed in section 213(d)(3) will collaborate in the planning and development of the proposed plan;

(3) that other Federal, State, and local resources will be used to implement the proposed plan;

(4) the extent to which such plan would limit administrative costs and increase amounts spent on delivery of services to students enrolled in programs under this Act; and

(5) if the State, according to census data, has at least 1 urban and at least 1 rural area, the State will ensure the establishment of a partnership in at least 1 urban and 1 rural area in the State.

(c) DISAPPROVAL.—If the Secretaries determine that an application submitted by a State does not meet the criteria under subsection (b), or that the application is incomplete or otherwise unsatisfactory, the Secretaries shall—

(1) notify the State of the reasons for the failure to approve the application;

(2) if the application does not meet the criteria under subsection (b), inform the State of the opportunity to apply for a development grant under subtitle A, except that further development funds may not be awarded to a State that receives an implementation grant; and

(3) if the application is incomplete or otherwise unsatisfactory, permit the State to resubmit a corrected or amended application.

(d) USE OF FUNDS FOR REVIEW OF APPLICATIONS.—The Secretaries may use amounts reserved under section 6(b)(4) for the review of applications submitted under subsection (a).

SEC. 215. USE OF AMOUNTS.

The Secretaries may not provide an implementation grant under section 212 to a State unless the State agrees that it will use all amounts received from such grant to implement the State's School-to-Work Opportunities system in accordance with the following requirements:

(1) SUBGRANTS TO LOCAL PARTNERSHIPS.—

(A) AUTHORITY.—

(i) IN GENERAL.—Except as provided in clause (ii), the State shall provide subgrants to local partnerships, according to criteria established by the State, for the purpose of carrying out School-to-work Opportunities programs described in title I.

(ii) PROHIBITION.—The State shall not provide subgrants to local partnerships that have received implementation grants under title III, except that this prohibition shall not apply with respect to local part-

nerships that are located in high poverty areas, as such term is defined in such title.

(B) APPLICATION BY LOCAL PARTNERSHIP.—The State may not provide a subgrant under subparagraph (A) to a local partnership unless the partnership submits to the State an application that—

(i) describes how the program will include the basic program components and otherwise meet the requirements of this Act;

(ii) sets forth measurable program goals and outcomes;

(iii) describes the local strategies and timetables to provide School-to-Work Opportunities program opportunities for all students as appropriate for the specific locality;

(iv) provides assurances that, to the extent practicable, school-to-work opportunities provided to students will be in industries and occupations offering high-skill, high-wage employment opportunities; and

(v) provides such other information as the State may require.

(C) DISAPPROVAL OF APPLICATION.—If the State determines that an application submitted by a local partnership does not meet the criteria under subparagraph (B), or that the application is incomplete or otherwise unsatisfactory, the State shall—

(i) notify the local partnership of the reasons for the failure to approve the application; and

(ii) if the application is incomplete or otherwise unsatisfactory, permit the local partnership to resubmit a corrected or amended application.

(D) USE OF AMOUNTS BY LOCAL PARTNERSHIP.—The State may not provide a subgrant under subparagraph (A) to a local partnership unless the partnership agrees that it will use all amounts received from such subgrant to carry out activities to implement School-to-Work Opportunities programs described in title I, and such activities may include—

(i) recruiting and providing assistance to employers, including small and medium sized businesses, to provide the work-based learning components in the School-to-Work Opportunities program;

(ii) establishing consortia of employers to support the School-to-Work Opportunities program and provide access to jobs related to students' career majors;

(iii) supporting or establishing intermediaries to perform the activities described in section 104 and to provide assistance to students and school dropouts in obtaining jobs and further education and training;

(iv) designing or adapting school curricula that can be used to integrate academic and vocational learning, school-based and work-based learning, and secondary and postsecondary education;

(v) providing training to work-based and school-based staff on new curricula, student assessments, student guidance, and feedback to the school regarding student performance;

(vi) designing or expanding and improving career awareness, exploration, and counseling activities, beginning at the earliest possible age, but beginning no later than the middle school grades;

(vii) establishing in schools participating in a School-to-Work Opportunities program a graduation assistance program to assist at-risk students, low-achieving students, and students with disabilities in graduating from high school, enrolling in postsecondary education or training, and finding or advancing in jobs;

(viii) providing supplementary and support services, including child care and transportation;

(ix) conducting or obtaining an in depth analysis of the local labor market and the generic and specific skill needs of employers to identify high-demand, high-wage careers to target;

(x) integrating work-based and school-based learning into existing job training programs for school dropouts;

(xi) establishing or expanding school-to-apprenticeship programs in cooperation with registered apprenticeship agencies and apprenticeship sponsors;

(xii) assisting participating employers, including small- and medium-size businesses, to identify and train workplace mentors and to develop work-based learning components;

(xiii) promoting the formation of partnerships between elementary, middle, and secondary schools and local businesses as an investment in future workplace productivity and competitiveness;

(xiv) designing local strategies to provide adequate planning time and staff development activities for teachers, school counselors, and school site mentors, including opportunities outside the classroom which are in the worksite;

(xv) enhancing linkages between existing after-school, weekend, and summer jobs, career exploration and school-based learning; and

(xvi) coordinating recruitment of dropouts and at-risk and disadvantaged youths by the local partnership with recruitment of these individuals by organizations and institutions which have a history of success in working with these targeted individuals.

(E) PARTNERSHIP COMPACT.—The State may not provide a subgrant under subparagraph (A) to a local partnership unless the partnership agrees that it will establish a process by which the responsibilities and expectations of students, parents, employers, and schools are clearly established and agreed upon at the point of entry of the student into a career major program of study.

(F) ADMINISTRATIVE COSTS.—The local partnership may not use more than 5 percent of amounts received from a subgrant under subparagraph (A) for any fiscal year for administrative costs associated with activities in carrying out, but not including, activities under subparagraphs (D) and (E) for such fiscal year.

(G) ALLOCATION REQUIREMENTS.—

(i) FIRST YEAR.—In the 1st fiscal year for which a State receives amounts from a grant under section 212, the State shall use not less than 70 percent of such amounts to provide subgrants to local partnerships under subparagraph (A).

(ii) SECOND YEAR.—In the 2d fiscal year for which a State receives amounts from a grant under section 212, the State shall use not less than 80 percent of such amounts to provide subgrants to local partnerships under subparagraph (A).

(iii) THIRD YEAR AND SUCCEEDING YEARS.—In the 3d fiscal year for which a State receives amounts from a grant under section 212, and in each succeeding year, the State shall use not less than 90 percent of such amounts to provide subgrants to local partnerships under subparagraph (A).

(2) ADDITIONAL STATE ACTIVITIES.—The State may also—

(A) recruit and provide assistance to employers to provide work-based learning for all students;

(B) conduct outreach activities to promote and support collaboration in School-to-Work Opportunities programs by businesses, organized labor, and other organizations;

(C) provide training for teachers, employers, workplace mentors, counselors, and others;

(D) provide labor market information to local partnerships that is useful in determining which high-skill, high-wage occupations are in demand;

(E) design or adapt model curricula that can be used to integrate academic and vocational learning, school-based and work-based learning, and secondary and postsecondary education;

(F) design or adapt model work-based learning programs and identifying best practices;

(G) conduct outreach activities and providing technical assistance to other States that are developing or implementing School-to-Work Opportunities systems;

(H) reorganize and streamline State systems to facilitate the development of a comprehensive School-to-Work Opportunities system;

(I) identify ways that existing local school-to-work programs could be integrated with the statewide School-to-Work Opportunities system;

(J) design career awareness and exploration activities (that may begin as early as the elementary grades, but beginning no later than middle school grades) such as job shadowing, job site visits, school visits by individuals in various occupations, and mentoring;

(K) design and implement school-sponsored work experiences, such as school-sponsored enterprises and community development projects;

(L) encourage the formation of partnerships between elementary, middle, and secondary schools and local businesses as an investment in future workplace productivity and competitiveness;

(M) coordinate recruitment of out-of-school, at-risk, and disadvantaged youths with those organizations and institutions who have a successful history of working with such youths; and

(N) conduct outreach to all students in a manner that most appropriately meets their need and the needs of their communities.

SEC. 216. ALLOCATION REQUIREMENT.

The Secretaries shall establish the minimum and maximum amounts available for an implementation grant under section 212, and shall determine the actual amount granted to any State based on such criteria as the scope and quality of the plan and the number of projected program participants.

SEC. 217. ADMINISTRATIVE COSTS.

The State may not use more than 5 percent of amounts received from an implementation grant under section 212 for any fiscal year for administrative costs associated with activities in carrying out, but not including, activities under section 215 for such fiscal year.

SEC. 218. REPORTS.

The Secretaries may not provide an implementation grant under section 212 to a State unless the State agrees that it will submit to the Secretaries such periodic reports as the Secretaries may reasonably require relating to the use of amounts from such grant.

Subtitle C—Development and Implementation Grants for School-to-Work Programs for Indian Youths

SEC. 221. AUTHORIZATION

(a) IN GENERAL.—From amounts reserved under section 6(b)(2), the Secretaries shall provide grants to establish and carry out School-to-Work Opportunities programs for Indian youths that involve Bureau funded schools (as defined in section 1139(3) of the Education Amendments of 1978 (25 U.S.C. 2019(3))).

(b) ADDITIONAL AUTHORITIES.—The Secretaries may carry out subsection (a) through such means as they find appropriate, including—

(1) the transfer of funds to the Secretary of the Interior; and

(2) the provision of financial assistance to Indian tribes and Indian organizations.

SEC. 222. REQUIREMENTS.

In providing grants under section 221, the Secretaries shall require recipients of such grants to comply with requirements similar to those requirements imposed on States under subtitles A and B of this title.

TITLE III—FEDERAL IMPLEMENTATION GRANTS TO LOCAL PARTNERSHIPS

SEC. 301. PURPOSES.

The purposes of this title are—

(1) to authorize the Secretaries to provide competitive grants directly to local partnerships in order to provide funding for communities that have built a sound planning and development base for School-to-Work Opportunities programs and are ready to begin implementing a local School-to-Work Opportunities program; and

(2) to authorize the Secretaries to provide competitive grants to local partnerships to implement School-to-Work Opportunities programs in high poverty areas of urban and rural communities to provide support for a comprehensive range of education, training, and support services for youths residing in such areas.

SEC. 302. AUTHORIZATION.

(a) GRANTS TO LOCAL PARTNERSHIPS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretaries may provide implementation grants directly to local partnerships in States in such amounts as the

Secretaries determine is necessary to enable such partnerships to implement a School-to-Work Opportunities program.

(2) RESTRICTIONS.—A local partnership—

(A) shall be eligible to receive only 1 grant under this subsection;

(B) shall not be eligible to receive a grant under this subsection if such partnership is located in a State that—

(i) has been provided an implementation grant under section 212; and

(ii) has received amounts from such grant for any fiscal year after the 1st fiscal year under such grant; and

(C) that receives a grant under this subsection shall not be eligible to receive a grant under subsection (b).

(b) GRANTS TO LOCAL PARTNERSHIPS IN HIGH POVERTY AREAS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Secretaries shall, from amounts reserved under section 6(b)(3), provide grants to local partnerships which are located in high poverty areas in States in such amounts as the Secretaries determine is necessary to enable such partnerships to implement a School-to-Work Opportunities program in such areas.

(2) RESTRICTIONS.—A local partnership—

(A) shall be eligible to receive only 1 grant under this subsection; and

(B) that receives a grant under this subsection shall not be eligible to receive a grant under subsection (a).

(3) PRIORITY.—In providing grants under paragraph (1), the Secretaries shall give priority to local partnerships that have a demonstrated effectiveness in the delivery of comprehensive vocational preparation programs with successful rates in job placement through cooperative activities among local educational agencies, local businesses, labor organizations, and other organizations.

(c) PERIOD OF GRANT.—The provision of payments under a grant under subsection (a) or (b) shall extend over a period of 5 fiscal years and shall be subject to the annual approval of the Secretaries and subject to the availability of appropriations for the fiscal year involved to make the payments.

SEC. 303. APPLICATION.

(a) IN GENERAL.—The Secretaries may not provide an implementation grant under section 302 to a local partnership unless the partnership—

(1) submits to the State for review and comment an application in such form and containing such information as the Secretaries may reasonably require; and

(2) submits such application to the Secretaries.

(b) TIME LIMIT FOR STATE REVIEW AND COMMENT.—

(1) IN GENERAL.—The State shall provide for review and comment on the application under subsection (a) not later than 30 days after the date on which the State receives the application from the local partnership.

(2) SUBMISSION WITHOUT STATE REVIEW AND COMMENT.—If the State does not provide review and comment within the 30-day time period specified in paragraph (1), the local partnership may submit the application to the Secretaries without first obtaining such review and comment.

(c) CONTENTS.—Such application shall include—

(1) the designation of a fiscal agent to receive and be accountable for amounts received from a grant under section 302;

(2) the State's comments regarding such application under subsection (a)(1);

(3) information that is consistent with the content requirements for a State plan that are specified in paragraphs (4) through (10) of section 213(d); and

(4) a description of how the partnership will meet the other requirements of this Act.

(d) USE OF FUNDS FOR REVIEW OF APPLICATIONS.—The Secretaries may use amounts reserved under section 6(b)(4) for the review of applications submitted under subsection (a).

SEC. 304. USE OF AMOUNTS.

The Secretaries may not provide an implementation grant under section 302 to a local partnership unless the partnership agrees that it will use all amounts from such grant to carry out activities to implement a School-to-Work Opportunities program described in title I, including the activities described in clauses (i) through (xvi) of section 215(1)(D).

SEC. 305. CONFORMITY WITH APPROVED STATE PLAN.

The Secretaries may not award a grant under section 302 to a local partnership located in a State that has an approved plan unless the Secretaries determine, after

consultation with the State, that the plan submitted by the partnership is in accord with the approved State plan.

SEC. 306. REPORTS.

The Secretaries may not provide an implementation grant under section 302 to a local partnership unless the partnership agrees that it will submit to the Secretaries such periodic reports as the Secretaries may reasonably require relating to the use of amounts from such grant.

SEC. 307. HIGH POVERTY AREA DEFINED.

For purposes of this title, the term "high poverty area" means—

(1) a census tract, a contiguous group of census tracts, a nonmetropolitan county, a Native American Indian reservation, or an Alaska Native village, with a poverty rate of 30 percent or more, as determined by the Bureau of the Census; or

(2) an area that has an unemployment rate greater than the national average unemployment for the most recent 12 months for which satisfactory data are available.

TITLE IV—NATIONAL PROGRAMS AND REPORTS

SEC. 401. RESEARCH, DEMONSTRATION, AND OTHER PROJECTS.

(a) IN GENERAL.—From amounts reserved under section 6(b)(4), the Secretaries shall conduct research and development and establish a program of experimental and demonstration projects, to further the purposes of this Act.

(b) ADDITIONAL USE OF AMOUNTS.—Amounts reserved under section 6(b)(4) may also be used for programs or services authorized under any other provision of this Act that are most appropriately administered at the national level and that will operate in, or benefit more than, one State.

SEC. 402. PERFORMANCE OUTCOMES AND EVALUATION.

(a) IN GENERAL.—The Secretaries, in collaboration with the States, shall by grants, contracts, or otherwise, establish a system of performance measures for assessing State and local programs regarding—

(1) progress in the development and implementation of State plans that include the basic program components and otherwise meet the requirements of title I;

(2) participation in School-to-Work Opportunities programs by employers, schools, students, and school dropouts, including information on the gender, race, ethnicity, socioeconomic background, limited English proficiency, and disability of all participants;

(3) progress in developing and implementing strategies for addressing the needs of students and school dropouts;

(4) progress in meeting the State's goals to ensure opportunities for young women to participate in School-to-Work Opportunities programs;

(5) outcomes of participating students and school dropouts, by gender, race, ethnicity, socioeconomic background, limited English proficiency, and disability of the participants, including information on—

(A) academic learning gains;

(B) staying in school and attaining a high school diploma, or a General Equivalency Diploma, or alternative diploma or certificate for those students with disabilities for whom such alternative diploma or certificate is appropriate, skill certificate, and college degree;

(C) placement and retention in further education or training, particularly in the student's career major; and

(D) job placement, retention, and earnings, particularly in the student's career major; and

(6) the extent to which the program has met the needs of employers.

(b) EVALUATION.—The Secretaries shall conduct a national evaluation of School-to-Work Opportunities programs funded under this Act by grants, contracts, or otherwise, that will track and assess the progress of implementation of State and local programs and their effectiveness based on measures such as those described in subsection (a).

(c) REPORTS.—Each State shall provide periodic reports, at such intervals as the Secretaries determine, containing—

(1) information described in paragraphs (1) through (6) of subsection (a); and

(2) information on the extent to which current Federal programs implemented at the State and local level may be duplicative, outdated, overly restrictive, or otherwise counter-productive to the development of comprehensive statewide School-to-Work Opportunities systems.

SEC. 403. TRAINING AND TECHNICAL ASSISTANCE.

(a) PURPOSE.—The Secretaries shall work in cooperation with the States, the State sex equity coordinators assigned under section 111(b)(1) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2321(b)(1)), employers and their associations, secondary and postsecondary schools, student and teacher organizations, organized labor, and community-based organizations to increase their capacity to develop and implement effective School-to-Work Opportunities programs.

(b) AUTHORIZED ACTIVITIES.—The Secretaries shall provide, through grants, contracts, or other arrangements—

(1) training, technical assistance, and other activities that will—

(A) enhance the skills, knowledge, and expertise of the personnel involved in planning and implementing State and local School-to-Work Opportunities programs, such as training of personnel to assist students; and

(B) improve the quality of services provided to individuals served under this Act;

(2) assistance to States and local partnerships in order to integrate resources available under this Act with resources available under other Federal, State, and local authorities; and

(3) assistance to States and local partnerships to recruit employers to provide the work-based learning component of School-to-Work Opportunities programs.

SEC. 404. AMENDMENT TO JOB TRAINING PARTNERSHIP ACT TO PROVIDE SCHOOL-TO-WORK OPPORTUNITIES ACTIVITIES FOR CAPACITY BUILDING AND INFORMATION AND DISSEMINATION NETWORK.

Section 453(b)(2) of the Job Training Partnership Act (29 U.S.C. 1733(b)(2)) is amended—

(1) in subparagraph (C)(ii)(V), by striking the period at the end of such subparagraph and inserting "; and"; and

(2) by adding at the end the following new subparagraph:

"(D)(i) from the amount appropriated pursuant to section 6(a) of the School-to-Work Opportunities Act of 1993, collect and disseminate information—

"(I) on successful school-to-work programs carried out pursuant to such Act and innovative school and work-based curriculum;

"(II) on research and evaluation conducted concerning school-to-work opportunities activities;

"(III) that will assist States and partnerships in undertaking labor market analysis, surveys or other activities related to economic development;

"(IV) on skill certificates, skill standards and related assessment technologies; and

"(V) on methods for recruiting and building the capacity of employers to provide work-based learning opportunities; and

"(ii) from such amount, facilitate communication and the exchange of information and ideas among States and partnerships carrying out school-to-work opportunities programs pursuant to such Act.".

SEC. 405. REPORTS TO CONGRESS.

Not later than 24 months after the date of the enactment of this Act, and every 12 months thereafter, the Secretaries shall submit a report to the Congress on all School-to-Work Opportunities programs carried out pursuant to this Act. The Secretaries shall, at a minimum, include in each such report—

(1) information concerning the programs that receive assistance under this Act;

(2) a summary of the information contained in the State and local partnership reports submitted under titles II and III and section 402(c); and

(3) information regarding the findings and actions taken as a result of any evaluation conducted by the Secretaries.

TITLE V—WAIVER OF STATUTORY AND REGULATORY REQUIREMENTS

SEC. 501. STATE AND LOCAL PARTNERSHIP REQUESTS AND RESPONSIBILITIES FOR WAIVERS.

(a) STATE REQUEST FOR WAIVER.—A State may submit, as a part of the State plan (or as an amendment to the plan) described in section 213(d), a request for a waiver of 1 or more statutory or regulatory provisions described in section 502 or 503 from the Secretaries in order to carry out the School-to-work Opportunity system established by such State. Such request may include different waivers with respect to different areas within the State.

(b) LOCAL PARTNERSHIP REQUEST FOR WAIVER.—

(1) IN GENERAL.—A local partnership that seeks a waiver of any of the laws specified in section 502 or 503 shall submit an application for such waiver to the State and the State shall determine whether to submit the application for such waiver to the Secretaries.

(2) TIME LIMIT.—

(A) IN GENERAL.—The State shall make a determination to submit the application under paragraph (1) not later than 30 days after the date on which the State receives the application from the local partnership.

(B) DIRECT SUBMISSION.—If the State does not make a determination to submit the application within the 30-day time period specified in subparagraph (A), the local partnership may submit the application to the Secretaries without first obtaining such review and comment.

(c) WAIVER CRITERIA.—The request by the State shall meet the criteria contained in section 502 or section 503 and shall specify the laws or regulations referred to in those sections that the State wants waived.

SEC. 502. WAIVER AUTHORITY OF SECRETARY OF EDUCATION.

(a) WAIVER AUTHORITY.—

(1) IN GENERAL.—Except as provided in subsection (c), the Secretary of Education may waive any requirement under any provision of law referred to in subsection (b), or any regulation issued under such provision, for a State that requests such a waiver and has an approved State plan under section 214—

(A) if, and only to the extent that, the Secretary of Education determines that such requirement impedes the ability of the State or a local partnership to carry out the purposes of this Act;

(B) if the State provides the Secretary with documentation of the necessity for the waiver, including—

(i) the specific requirement that will be waived;

(ii) the specific positive outcomes expected from the waiver and why those outcomes cannot be achieved while complying with the requirement;

(iii) the process which will be used to monitor the progress in implementing the waiver; and

(iv) such other information as the Secretary may require;

(C) if the State waives, or agrees to waive, similar requirements of State law; and

(D) if the State—

(i) has provided all local partnerships in the State, and local educational agencies participating in a local partnership in the State, with notice and an opportunity to comment on the State's proposal to seek a waiver;

(ii) provides, to the extent feasible, students, parents, and advocacy and civil rights groups an opportunity to comment on the State's proposal to seek a waiver; and

(iii) has submitted the comments of the local partnerships and local educational agencies to the Secretary of Education.

(2) APPROVAL OR DISAPPROVAL.—The Secretary of Education shall promptly approve or disapprove any request submitted pursuant to paragraph (1) and shall issue a decision that shall—

(A) include the reasons for approving or disapproving the request, including a response to comments; and

(B) be disseminated by the State seeking the waiver to interested parties, including educators, parents, students, advocacy and civil rights organizations, and the public.

(3) APPROVAL CRITERIA.—In approving a request under paragraph (2), the Secretary of Education shall consider the amount of State resources that will be used to implement the State plan.

(4) TIME PERIOD FOR WAIVER.—Each waiver approved under paragraph (2) shall be for a period not to exceed 5 years, except that the Secretary of Education may extend such period if the Secretary determines that the waiver has been effective in enabling the State or local partnership to carry out the purposes of this Act.

(b) APPLICABLE PROVISIONS OF LAW.—The applicable provisions of law referred to in this subsection are the following:

(1) Chapter 1 of title I of the Elementary and Secondary Education Act of 1965, including the Even Start Act.

(2) Part A of chapter 2 of title I of the Elementary and Secondary Education Act of 1965.

(3) The Dwight D. Eisenhower Mathematics and Science Education Act (part A of title II of the Elementary and Secondary Education Act of 1965).

(4) The Emergency Immigrant Education Act of 1984 (part D of title IV of the Elementary and Secondary Education Act of 1965).

(5) The Drug-Free Schools and Communities Act of 1986 (title V of the Elementary and Secondary Education Act of 1965).

(6) The Carl D. Perkins Vocational and Applied Technology Education Act.

(c) WAIVERS NOT AUTHORIZED.—The Secretary of Education may not waive any requirement under any provision of law referred to in subsection (b), or any regulation issued under such provision, relating to—

(1) the basic purposes or goals of such provision of law;

(2) maintenance of effort;

(3) comparability of services;

(4) the equitable participation of students attending private schools;

(5) parental participation and involvement;

(6) the distribution of funds to State or to local educational agencies;

(7) the eligibility of individuals for participation in a program under such provision of law;

(8) public health or safety, labor standards, civil rights, occupational safety and health, or environmental protection; or

(9) prohibitions or restrictions relating to the construction of buildings or facilities.

(d) TERMINATION OF WAIVERS.—The Secretary of Education shall periodically review the performance of any State or local partnership for which the Secretary has granted a waiver under subsection (a) and shall terminate the waiver if—

(1) the Secretary determines that the performance of the State, local partnership, or local educational agency affected by the waiver, as the case may be, has been inadequate to justify a continuation of the waiver; or

(2) the State fails to waive similar requirements of State law as required or agreed to in accordance with subsection (a)(1)(B).

SEC. 503. WAIVER AUTHORITY OF SECRETARY OF LABOR.

(a) WAIVER AUTHORITY.—

(1) IN GENERAL.—Except as provided in subsection (c), the Secretary of Labor may waive any requirement under any provision of the Job Training Partnership Act (29 U.S.C. 1501 et seq.), or any regulation issued under such provision, for a State that requests such a waiver and has an approved State plan under section 214—

(A) if, and only to the extent that, the Secretary of Labor determines that such requirement impedes the ability of the State or a local partnership to carry out the purposes of this Act;

(B) if the State provides the Secretary with documentation of the necessity for the waiver, including—

(i) the specific requirement that will be waived;

(ii) the specific positive outcomes expected from the waiver and why those outcomes cannot be achieved while complying with the requirement;

(iii) the process which will be used to monitor the progress in implementing the waiver; and

(iv) such other information as the Secretary may require;

(C) if the State waives, or agrees to waive, similar requirements of State or territory law; and

(D) if the State—

(i) has provided all local partnerships in the State with notice and an opportunity to comment on the State's proposal to seek a waiver;

(ii) provides, to the extent feasible, students, parents, and advocacy and civil rights groups an opportunity to comment on the State's proposal to seek a waiver; and

(iii) has submitted the comments of the local partnerships to the Secretary of Labor.

(2) APPROVAL OR DISAPPROVAL.—The Secretary of Labor shall promptly approve or disapprove any request submitted pursuant to paragraph (1) and shall issue a decision that shall—

(A) include the reasons for approving or disapproving the request, including a response to comments; and

(B) be disseminated by the State seeking the waiver to interested parties, including educators, parents, students, advocacy and civil rights organizations, and the public.

(3) APPROVAL CRITERIA.—In approving a request under paragraph (2), the Secretary of Labor shall consider the amount of State resources that will be used to implement the State plan.

(4) TIME PERIOD FOR WAIVER.—Each waiver approved under paragraph (2) shall be for a period not to exceed 5 years, except that the Secretary of Labor may extend such period if the Secretary determines that the waiver has been effective in enabling the State or local partnership to carry out the purposes of this Act.

(b) WAIVERS NOT AUTHORIZED.—The Secretary of Labor may not waive any requirement under any provision of the Job Training Partnership Act (29 U.S.C. 1501 et seq.), or any regulation issued under such provision, relating to—

(1) the basic purposes or goals of such provision of law;

(2) the eligibility of individuals for participation in a program under such provision of law;

(3) the allocation of funds under such provision of law;

(4) public health or safety, labor standards, civil rights, occupational safety and health, or environmental protection;

(5) maintenance of effort; or

(6) prohibitions or restrictions relating to the construction of buildings or facilities.

(c) TERMINATION OF WAIVERS.—The Secretary of Labor shall periodically review the performance of any State or local partnership for which the Secretary has granted a waiver under subsection (a) and shall terminate the waiver if—

(1) the Secretary determines that the performance of the State or local partnership affected by the waiver has been inadequate to justify a continuation of the waiver; or

(2) the State fails to waive similar requirements of State or territory law as required or agreed to in accordance with subsection (a)(1)(B).

SEC. 504. COMBINATION OF FEDERAL FUNDS FOR HIGH POVERTY SCHOOLS.

(a) IN GENERAL.—In order to integrate existing school-to-work transition activities with activities under this Act and maximize the effective use of resources, a local partnership may carry out schoolwide school-to-work activities in schools that meet the requirements of subparagraphs (A) and (B) of section 263(g)(1) of the Job Training Partnership Act (29 U.S.C. 1643(g)(1)(A) and (B)) by combining Federal funds under this Act with other Federal funds from among those programs under—

(1) the provisions of law listed in paragraphs (2) through (6) of section 502(b); and

(2) the Job Training Partnership Act (29 U.S.C. 1501 et seq.).

(b) USE OF FUNDS.—A local partnership may use the Federal funds combined under subsection (a) under the requirements of this Act, except that the provisions contained in paragraphs (1) through (6) and paragraphs (8) and (9) of section 502(c), and paragraph (1) and paragraphs (3) through (6) of section 503(b) shall remain in effect with respect to the use of such funds.

(c) ADDITIONAL INFORMATION IN APPLICATION.—A local partnership seeking to combine funds under subsection (a) must include in its application under title II or title III—

(1) a description of the funds it proposes to combine under the requirements of this Act;

(2) the activities to be carried out with such funds;

(3) the specific outcomes expected of participants in schoolwide school-to-work activities; and

(4) such other information as the State, or Secretaries, as the case may be, may require.

(d) DISSEMINATION OF INFORMATION.—The local partnership shall, to the extent feasible, provide information on the proposed combination of Federal funds under subsection (a) to parents, students, educators, advocacy and civil rights organizations, and the public.

TITLE VI—SAFEGUARDS

SEC. 601. SAFEGUARDS.

The following safeguards shall apply to each School-to-Work Opportunities program carried out under this Act:

(1) NONDISCRIMINATION.—Nothing in this Act shall be construed to modify or affect any Federal or State law prohibiting discrimination on the basis of race, religion, color, ethnicity, national origin, gender, age, or disability.

(2) PROHIBITION OF WAGES.—Funds appropriated pursuant to section 6 shall not be expended for the wages of youth participants or workplace mentors.

(3) LABOR STANDARDS.—The labor standards contained in section 143 of the Job Training Partnership Act (29 U.S.C. 1553), except for the standards contained in subsection (a)(4) of such section, shall apply to each program.

(4) INDIVIDUALS NOT ENTITLED TO SERVICES.—Nothing in this Act shall be construed to provide any individual with an entitlement to the services authorized by this Act.

(5) SIMILAR AUTHORITY OF OTHER OFFICIALS OR ENTITIES NOT SUPERSEDED.—Nothing in this Act shall be construed to negate or supersede the authority of any official or entity responsible under State or other applicable law for authority that is similar to authority specified under this Act.

(6) SUPPLEMENT NOT SUPPLANT REQUIREMENT.—Funds provided under this Act shall be used to supplement and not to supplant Federal, State, and local public funds expended to provide services for existing school-to-work opportunities systems and programs.

(7) OTHER SAFEGUARDS.—The Secretaries shall provide such other safeguards as they deem appropriate in order to ensure that participants in a program are afforded adequate supervision by skilled adult workers, or, otherwise, to further the purposes of this Act.

TITLE VII—REAUTHORIZATION OF JOB TRAINING FOR THE HOMELESS DEMONSTRATION PROGRAM UNDER THE STEWART B. McKINNEY HOMELESS ASSISTANCE ACT

SEC. 701. REAUTHORIZATION.

Section 739(a) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11449(a)) is amended by striking "the following amounts:" and all that follows and inserting "such sums as may be necessary for each of the fiscal years 1994 and 1995.".

EXPLANATION OF THE AMENDMENT

The Committee amendment strikes all after the enacting clause and inserts a substitute text. The provisions of the substitute text are explained hereafter in this report.

PURPOSE

The purpose of this Act is to establish a national framework within which all States can create statewide School-to-Work Opportunities systems that are a part of comprehensive education reform. The Act also intends to promote the formation of partnerships which are dedicated to linking the worlds of school and work among secondary and postsecondary educational institutions, pri-

vate and public employers, organized labor, government, community-based organizations, parents, students, and local education and training and human service agencies.

COMMITTEE ACTION

On August 5, 1993, Representative William D. Ford, together with thirty-four cosponsors, introduced H.R. 2884, the School-to-Work Opportunities Act of 1993. Full Committee hearings were conducted on September 29, October 20, and October 27, 1993. On November 3, 1993, the bill was considered by the Full Committee in open legislative session and ordered reported, as amended, by voice vote, a quorum being present.

SUMMARY

The Act provides "venture capital" for States and communities to underwrite the initial costs of planning and establishing a statewide School-to-Work Opportunities system. These systems would be driven by State and local decisionmakers and ultimately be maintained with other Federal, State, local and private resources. Although the legislation provides for a significant degree of local flexibility and creatively so that programs can address local needs and respond to changes in the local labor market, there will be common elements in all programs. All School-to-Work Opportunities programs would contain three core components:

1. Work-based learning includes providing students with a planned program of job training in a broad range of tasks in an occupational area, as well as paid work experience and mentoring. Paid work experience is a critical element of the work-based learning component of a School-to-Work Opportunities program. A meaningful part of each student's overall career major program must include paid work experience. Paying a student is a sign of the employer's commitment to the individual student as well as to the overall quality of the program in which the employer is participating. Further, many students need to work for the income. If their work-based learning is unpaid, students could end up juggling two jobs and their school schedule. However, an important distinction to make for the Committee is that not every work experience must be paid.

The legislation does not stipulate when the work-based learning should take place or how much of the work experience must be paid. Local partnerships should, as part of their curriculum development and program planning process, identify an appropriate level of paid work-based learning to be included in School-to-Work programs. Local partnerships are also encouraged to work with area schools to provide career awareness, exploration and counseling opportunities for elementary and secondary school students that are not necessarily tied to a paid work experience. The timing and extent of paid work should fit into a plan of integrated occupational and academic learning, and school-based and work-based learning focused on the requirements needed for a high school diploma, a skill certificate, and a certificate or diploma recognizing the successful completion of postsecondary education, if appropriate.

The Committee realizes that a major challenge will be recruiting the large number of employers required to provide work-based learning to the many students who could benefit from such experiences. The Committee further realizes that communities whose primary employers are small businesses or public agencies may meet with additional obstacles in recruiting sufficient numbers of employers. The intent of the paid work requirements is not to discourage those communities from applying for a grant, nor is the intent to disallow those employers from participating in a local program. As a result, the Committee encourages the Secretaries of Labor and Education, and the States to assist communities in hardship situations in developing creation methods of meeting this paid work experience requirement. These communities should not be placed at a disadvantage in the competitive application process for grants and subgrants.

Local partnerships are encouraged to try creative and aggressive strategies for developing paid work experience placements for students. The use of an intermediary organization or the formation of a business consortia to help identify and provide varied paid work experiences may be useful in some communities. Public agencies, labor unions and community-based organizations should also be brought into this effort. Further, the paid work experience requirement of the work-based learning component may be met in a variety of ways, not necessarily requiring that all employers provide paid work. For example, local programs may be allowed to arrange for other funds to be used as salaries for students. The Committee also recognizes that school sponsored work experiences, including school sponsored enterprises and community service, internships and other forms of unpaid work, offer valuable opportunities to learn outside the classroom. This in combination with paid work experience, might be very valuable in creating needed opportunities to more youth.

Job Training Partnership Act funds, in some situations, may be used to help offset a portion of an employer's costs for hiring and training economically disadvantaged students. Paid work experience can include supported employment for youth with disabilities.

2. School-based learning includes a coherent multi-year sequence of instruction in career majors—typically beginning in the eleventh grade and including one or two years of postsecondary education where appropriate—tied to high academic and skill standards as proposed in the "Goals 2000: Educate America Act." School-based learning must also provide career exploration and counseling, and periodic evaluations to identify students' academic strengths and weaknesses.

3. Connecting Activities would ensure coordination of the work and school-based learning components of a School-to-Work Opportunities program, such as providing technical assistance in designing work-based learning components, matching students with employers' work-based learning opportunities, and collecting information on what happens to students after they complete the program.

Students completing a School-to-Work Opportunities program would earn a high school diploma, and often a certificate from a postsecondary institution. They would also get a portable industry-recognized credential certifying competency in an occupational

area. Most importantly, these students would be ready to start a first job on a career track or pursue further education and training.

Under this legislation, States will have multiple avenues to build School-to-Work systems with Federal support—development grants and implementation grants. First, we expect every State that applies to get a development grant, which can be used both to produce a comprehensive plan and to begin the developmental work of constructing a system. Second, once a State has an approved plan, it can be considered for a five-year implementation grant. The school-to-work implementation funds will roll out in "waves" with leading-edge States awarded the first grants with the understanding that their efforts are, in part, to inform and improve subsequent efforts. This will enable the pace to pick up as we go along. The Committee anticipates that with sufficient funds we will be able to begin supporting implementation in all States over the next four years.

State plans and applications for implementation funds must address some fundamental issues to ensure a successful state-wide school-to-work system. Implementation funds may be expended for activities undertaken to help a State implement its School-to-Work Opportunities system. In addition, funds authorized by the legislation could be used to provide services to individuals who require additional support in order to participate effectively in a School-to-Work Opportunities program.

Third, states will also have the opportunity to seek waivers to provisions of related Federal education and job training programs. Waivers are an additional resource to assist in the start up and implementation of School-to-Work Opportunities programs and to facilitate coordination between this new effort and existing programs. Though the pace of program expansion will depend on the amount of funds appropriated for the legislation, the Committee has structured the initiative to enable rapid, nationwide activity.

Fourth, the legislation also authorizes support for direct Federal grants to local communities. These grants will be for communities that are prepared to implement a School-to-Work Opportunities program, but that are in States not yet ready for implementation.

Fifth, grants will be available for urban and rural areas characterized by high unemployment and poverty, to give these areas special support to help overcome the substantial challenges they face in building effective School-to-Work Opportunities programs.

Finally, funds are also provided to the Secretaries to offer training and technical assistance to States, local partnerships and others, to conduct research and demonstration projects and, in collaboration with States, to establish a system of performance standards. The Committee is concerned about the new requirements being placed on state Labor Market Information (LMI) systems under this bill. The Committee was informed that the Interstate Conference of Employment Security Agencies (ICESA) believes that current state LMI systems may be unprepared to accommodate the new career tracking and matching requirements under the Act without a significant investment of funds.

The Committee wants to clarify that States may utilize a portion of their funds under this Act in order to adequately fund the LMI activities required under this legislation. As well, the Committee

believes that having a reliable LMI tracking system is important to the success of school-to-work opportunities for youth.

The proposal also provides safeguards for the School-to-Work Opportunities program to protect students and existing workers. Among other stipulations, these safeguards will prohibit the displacement of any currently employed worker or reduction in the hours of nonovertime work, wages or employment benefits. The bill also ensures the integrity of existing contracts for services or collective bargaining agreements and the applicability of health, safety and civil rights laws.

STATEMENT

Seventy-five percent of America's young people do not achieve a college degree. Many of these young people are not equipped with the basic academic and occupational skills needed in an increasingly complex labor market. The low-skill, high-paying manufacturing jobs that once provided decent employment for relatively unskilled Americans no longer exist. Therefore, many high school graduates do not find stable, career-track jobs for five to ten years after graduation. The wages, benefits, and working conditions of these Americans without college degrees are eroding rapidly. In the 1980's the gap in earnings between high school and college graduates doubled; for those without high school degrees, the gap was even greater. Further, data indicates a significant decrease in the real wages of students who do not pursue postsecondary education. A 1992 Congressional Research Service report shows that males with only a high school diploma and five years of experience or less earned $9.75 an hour in 1973 compared with $6.90 an hour in 1991 (nearly a 30 percent decrease). Women with only a high school education and one to five years of experience encountered a 20 percent decrease in wages between 1973 and 1991.

New technologies in manufacturing and, increasingly, in services, are shrinking the demand for and undermining the earning power of unskilled labor. Neither of these forces will (or should) be kept at bay; on balance, they make the nation richer. But as low-skilled, high-paying jobs disappear, most workers without college degrees will continue to find the quality of their wages, benefits, and living conditions declining.

In today's highly competitive global economy, business performance is determined in large part by the knowledge and skills of workers. The technological pressures make employers reluctant to take a chance on inexperienced high school graduates whose diplomas signal nothing about their skills, knowledge and ability to perform increasingly difficult work.

Not only has the lack of school-to-work assistance had a negative impact on the earnings potential of our young people, but it also has had tremendous costs to business and our economy as a whole. Because businesses lack more highly-skilled workers, their productivity suffers and, in turn, our economy as a whole suffers. So while our major national competitors are redefining and improving school-to-work transition systems, the United States has yet to develop one. In practical terms, this means that, unlike their peers in Japan or Germany, for example, young Americans entering the work force after high school make their way through school and

into their first jobs with little guidance, direction or support. Instead of following structured career paths that provide a basis for rigorous meaningful secondary and postsecondary education, students frequently wander aimlessly through an unchallenging, disjoined curriculum.

Meanwhile, businesses readily admit that they have difficulty finding workers with the kinds of skills that they need. Employers indicate that what they want in entry-level workers are mature employees with high academic and occupational skills and meaningful work experience. That is not what they get—which is why, in this country, only one large firm in ten hires new high school graduates.

The Committee held a number of hearings on the issue of school-to-work transition. Witnesses representing successful school-to-work programs in Flint, Michigan testified that the effects of these initiatives are felt throughout the community. Educators, business and union represenatives have formed partnerships to enable students to acquire skills in a workplace setting while maintaining a strong emphasis on academic achievement. School-to-work programs are now considered to be a key component of economic development in Flint, Michigan.

At the heart of the School-to-Work Opportunities Act are the core elements that all School-to-Work Opportunities programs must have under this Act. These elements which are established by title I must (1) integrate work-based and school-based learning; (2) provide a student with the opportunity to complete a career major; and (3) incorporate the basic program components of work-based learning, school-based learning and connecting activities. By design, the legislation leaves considerable room for experimentation and local diversity, nevertheless, these core elements serve to unify and ensure the quality of the School-to-Work Opportunities programs throughout the country.

Although an initial selection of a career major must be made no later than the 11th grade, the Committee believes career awareness and exploration must begin much earlier in the elementary school years, but no later than the middle school years, where at all possible. The selection of a career major may be made earlier and School-to-Work Opportunities funds may be used to provide services to students prior to the 11th grade.

The Act is designed to serve all students including those who plan on continuing their education at a college or university. Further, the legislation defines "all students" as meaning students from a broad range of backgrounds and circumstances, including disadvantaged students, students with diverse racial, ethnic, and cultural backgrounds, American Indians, Alaskan Natives, Native Hawaiians, students with disabilities, students with limited English proficiency, migrant children, school dropouts, and academically talented students. The Committee wants to stress that this definition does not imply any individual entitlement. To this end, during Committee consideration of the bill, an amendment was accepted that local partnerships must describe their strategy and time-table for providing school-to-work opportunities for all students, but only as appropriate to the specific locality.

The Committee emphasizes that there are many features in this legislation that will better prepare disadvantaged and other at-risk students, including dropouts, for higher-wage, higher-skill first jobs or for further education. In addition, communities may choose to employ a number of specific strategies to serve at-risk students. The Committee encourages States and localities to use the flexibility within this Act to design creative strategies for serving at-risk students and former students as well as forging linkages with other Acts, such as the Job Training Partnership Act and education-funded programs for the disadvantaged.

The agricultural sector is vital to the future foundation of the nation's economy, and is undergoing rapid change. The Committee recognizes the demand for increased education and training in sustainable agriculture techniques and environmentally sensitive agriculture technologies and methods.

Although agriculture is not explicitly mentioned in the bill, the Committee recognizes its importance and does not intend to preclude States from implementing apprenticeship programs in agriculture.

The Act provides for State development grants. The purpose of development grants is to provide funds for States to plan and begin efforts leading to comprehensive state-wide school-to-work systems. The Committee does not expect that as States seek development grants they will have all the specific details and answers of a school-to-work system. Rather, it is expected that States will have a clear understanding of what the system requires in terms of design, delivery, partnerships, and institutional change and have thought through realistic methods for involving key stakeholders and appropriate approaches to designing school-to-work systems.

The request for a development grant must provide some key information on the status of school-to-work transition efforts in the States, including the identification of the partner in the State that will collaborate in the planning and development of the School-to-Work Opportunities system in their State. Within their request for development grants, these parties will need to provide evidence of a commitment to and support for the State's approach for planning and developing a system. The State must also provide a description of how the State has and will continue to enlist the active and continued participation of employers and other interested parties in the planning and development process. The development grant funds may be used to support a wide range of activities undertaken to develop a state School-to-Work Opportunities system. The Committee expects that all states will receive at least one development grant. If a State needs additional time and resources to complete the development of a School-to-Work Opportunities grant, it may reapply in a subsequent year. The State must provide a timetable and an estimate of the amount of funding needed to complete the planning and development necessary to implement a comprehensive, statewide School-to-Work Opportunities system.

The Act provides for State implementation grants. These grants provide venture capital over a five-year period to assist States that have demonstrated substantial ability to begin full-scale operations of a school-to-work system and implement a statewide plan. The Committee expects that successful plans will produce systemic

statewide change that will have substantial impact on the preparation of a youth for a first job in a higher-skill, higher-wage career and in increasing opportunities for further education. These grants are to be awarded on a competitive basis but the Committee expects that over the next four years all States will receive an implementation grant. State requests for implementation grants which are submitted to the Departments of Education and Labor must be accompanied by a proposed state plan as well as a description of how the State will allocate funds under this Act to local partnerships and any requests for waivers, if any. As in the development grants, States must describe the collaboration of the key parties at the State level in the implementation of the program and how it plans to obtain the active and continued involvement of employers and other interested parties in all phases of development and implementation.

The Committee believes that under the competitive process, one of the most important criteria is the degree of collaboration represented in the application and plan. This belief is highlighted by the addition of a new approval criteria in section 214(b).

The Committee has developed legislation that will encourage and reward States and local partnerships that bring together a diverse set of individuals and organizations, both in the public and private sector to create a single system. The Committee does not intend for a State to merely prepare a plan made up of separate elements from different agencies and organizations and then divide up funds made available under this Act to support these separate efforts. Any application that does not reflect a real and meaningful collaboration should be awarded the lowest priority.

Implementation funds may be expended for activities undertaken to help a State implement its School-to-Work Opportunities system. In addition, funds authorized by this legislation could be used, to provide services to individuals who require additional support in order to participate effectively in a School-to-Work Opportunities program. The Secretaries will determine whether to approve the State's school-to-work plan. In evaluating an application, the Secretaries will take into consideration the quality of the application, its replicability, sustainability and innovation and will give priority to applications which limit administrative costs and maximize amounts spent on delivery of services to students.

If the plan is approved the Departments will further determine whether to take one or a combination of the following actions: (1) to award an implementation grant; (2) approve the State's request for a waiver; or (3) to inform the State of the opportunity to apply for further development funds. The Committee notes that it is possible for a State to have its plan approved but not receive an implementation grant. School-to-Work funds authorized may not be sufficient to allow all States with an approved plan to immediately receive an implementation grant. States can still start implementation activities by using their waiver authority (if approved), using School-to-Work development funds, and existing funds from other sources.

The proposal requires broad-based partnerships in States and communities. Without these partnerships real and lasting changes will not be achieved. The Committee strongly encourages local

partnerships to be as broad-based and inclusive as possible. States and communities may determine how they wish to form local partnerships for the purposes of this Act. It does not need to be a new entity. The Committee recognizes the central role employers must play in building effective School-to-Work programs. Employers must be involved with schools and other partners in the development of curricula; in the design of structured work experiences; in the skill certification process; in the creation of work-based learning opportunities for students that provide the skills needed by high performance workplaces; and in governance of local programs. The Committee encourages the development of high skills, as well as basic workplace readiness competencies (such as those recommended by the SCANS Commission), as one element of a broader partnership among business, education, labor and government in implementing the principles of total quality. Only through such an involved employer role will students and schools be continually aware of the changing demands and skill needs of the workplace. Such an effective collaboration will be the best incentive for active business participation.

Section 302, subsection (b), subparagraph (3) is consistent with the Administration's objective to base school-to-work systems upon already existing local partnership programs. Throughout the legislation, references are made to the incorporation of existing successful local partnership initiatives in statewide school-to-work systems. In several States throughout the country, local educational entities are focusing on vocational preparation and job placement and local partnerships in the form of community-based organizations, private industry councils, local vocational education consortia, and registered apprenticeships. The partnerships are currently performing the activities outlined in the School-to-Work Opportunities Act of 1993. The Committee intends that those local entities that have proven their success in these efforts be given priority in the awarding of Federal funding if this legislation is truly to foster a coordinated network of local partnerships.

Section 302(b)(3) authorizes the Secretaries to give priority to those existing partnership programs in high poverty areas that demonstrate effectiveness in the maximum delivery of comprehensive vocational preparation programs with successful rates in job placement. Building on existing local cooperative models in vocational preparation serving youth and young adults is a critical step to establishing an effective statewide School-to-Work Opportunities system. These models offer a comprehensive range of activities combining vocational preparation, career or academic development, English-as-a-Second Language, and other essential student support services, with a strong emphasis on maximizing technology-based learning and job placement. The Secretaries should make every effort to immediately ensure that such priority partnership models are sustained and not disrupted by gaps in program funding as States develop their school-to-work system.

The Committee also believes that community-based organizations (CBOs) have the opportunity to have a strong role in the development of partnerships at the local level. Minority CBOs have typically been better able to reach minority group members in need of services, especially the disadvantaged, than public agencies. His-

panic CBOs have long been effective providers of employment and training services to Latino youth and adults, and have become increasingly involved in education.

This Act also authorizes the Departments to award competitive grants to partnerships in States that have not received an implementation grant or are in States that are in their first year of an implementation grant. The purpose of title III is to provide funding for communities that are ready to start a school-to-work system in advance of the availability of funds through their State's School-to-Work Opportunities system. Local partnerships seeking a Federal implementation grant must first submit their application to the State for review and comment. Under this title, the Departments are also authorized to award grants to States and localities for programs in high poverty areas in order to provide support for a comprehensive range of education, training, and support services for youth residing in such areas. The high poverty grants must be awarded to programs that are in accord with approved State and local plans (if any) and are limited to areas with either a poverty rate of at least 30% or areas that have an unemployment rate greater than the national average unemployment for the most recent 12 months for which satisfactory data are available.

Title IV provides national programs and support, including performance outcomes and evaluations. It also provides for technical assistance to increase the partnerships capacity to develop and implement effective School-to-Work Opportunities programs. The Secretaries are also directed to utilize the existing capacity building and information and dissemination network in JTPA to serve in the same capacity for School-to-Work. It is important that minority youth who did not complete high school have the opportunity to participate in school-to-work programs. It is also important that minority, and particularly Hispanic, youth participate in order to close the gap in educational and employment outcomes for these communities.

In addition, States are able to seek waivers for up to five years to one or more statutory or regulatory provisions in selected programs to ease the starting up and implementation of a school-to-work program. Waivers will not be given to any provision affecting a program's essential purposes and goals, eligibility, allocation of funds or safeguards. States will be required to identify the provisions in the relevant legislation that impedes their abilities to implement in a school-to-work program and to submit their requested waivers to the appropriate Department. States must also waive similar requirements in State law. States must offer to local partnerships and local educational agencies an opportunity to comment on the State's proposal to seek a waiver. The Secretaries may terminate waivers if it is determined that the performance of the State, partnership, or local educational agency affected by the waiver has been inadequate to justify continuation.

The Committee believes that the opportunity to seek waivers is an innovative and constructive tool for States as they build school-to-work systems. The Committee encourages States and local partnerships to work together to identify provisions in statute or regulations that would facilitate implementation of a school-to-work program and build linkages between programs.

This legislation is predicated on the fact that States and local partnerships will build school-to-work systems and programs through combining and coordinating State, local and Federal funds. We clearly do not need another stand alone training program to add to the over 100 Federal training programs already in existence.

Obviously, even the limited funding available under this authorization and the limited time grants are available to grantees, the goal is for States and localities to reshape their own resources into an ongoing school-to-work system. This fact is stated in the findings of H.R. 2884, repeated in the congressional intent section, and runs throughout the program requirements.

Section 504 represents a major step towards making this intent a reality. Building on provisions in the Job Training Partnership Act and Chapter 1 of the Elementary and Secondary Education Act, if establishes a "school-wide" authority for schools that serve relatively high numbers of poor students. This would allow a school that is operating a school-to-work program as part of a local partnership's plan, and that meets the criteria established in this section, to use funds available through other Federal programs to expand its school-to-work activities and serve all students in the school.

Only if schools take this kind of approach will the promise of funds under this Act serving as "venture capital" for system wide reform become a reality.

The legislation includes safeguards for the School-to-Work Opportunities program to protect students and existing workers. Among other stipulations, these safeguards will prohibit the displacement of any currently employed worker or reduction in the hours of non-overtime work wages or employment benefits. The bill also ensures the integrity of existing contracts for services or collective bargaining agreements and the applicability of health, safety and civil rights laws. No student can be employed under this Act when any other individuals is on temporary layoff from the participating employer.

Finally, the bill reauthorizes the job training for the homeless demonstration program under the Stewart B. McKinney Homeless Assistance Act for fiscal years 1994 and 1995.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

In compliance with clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives, the estimate prepared by the Congressional Budget Office pursuant to section 403 of the Congressional Budget Act of 1974, submitted prior to filing of this report, is set forth as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 8, 1993.

Hon. WILLIAM D. FORD,
Chairman, Committee on Education and Labor,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2884; the School-to-Work

Opportunities Act of 1993, as ordered reported by the House Committee on Education and Labor on November 3, 1993.

H.R. 2884 allows for the accepting and disposing of gifts by the Departments of Education and Labor. This could result in changes in direct spending and receipts. Therefore, the bill would be subject to pay-as-you-go procedures under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JAMES L. BLUM
(For Robert D. Reischauer, Director).

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 2884.
2. Bill title: School-to-Work Opportunities Act of 1993.
3. Bill status: As ordered reported by the House Committee on Education and Labor on November 3, 1993.
4. Bill purpose: To establish a national framework for the development of School-to-Work Opportunities systems in all states, and for other purposes.
5. Estimated cost to the Federal Government:

(By fiscal year, in millions of dollars)

	1994	1995	1996	1997	1998
School-to-work opportunities grants and national programs:					
Estimated authorization of appropriations	—	300	308	316	324
Estimated outlays	—	36	241	301	315
Job training for the homeless:					
Estimated authorization of appropriations	0	13	—	—	—
Estimated outlays	0	1	8	4	—
Bill total:					
Estimated authorization of appropriations	0	313	308	316	324
Estimated outlays	0	37	248	305	315

Note: Details may not add to totals because of rounding.

The costs of this bill fall within budget function 500.

Basis of estimate: H.R. 2884 establishes a national framework for the development of school-to-work opportunities systems in all states. The bill authorizes the appropriation of $300 million in 1995 and such sums as may be necessary for 1996 through 2002. CBO estimates the authorization levels for 1996 to 1998 by adjusting the 1995 authorization of appropriations for projected inflation. Outlays are estimated by considering historical spending patterns for similar programs. Estimated outlays assume full appropriation of authorized amounts.

H.R. 2884 also extends the authorization of the Job Training for the Homeless Demonstration Program to include 1994 and 1995. The program is authorized under the Stewart B. McKinney Homeless Assistance Act at such sums as may be necessary through 1993. In October 1993, Congress appropriated $13 million for fiscal year 1994 for Job Training for the Homeless. CBO estimates the fiscal year 1994 authorization in H.R. 2884 based on the 1994 appropriation. Because this appropriation has already occurred, no

costs are shown for 1994. CBO estimates the 1995 authorization by adjusting the 1994 appropriation for anticipated inflation.

H.R. 2884 authorizes the Secretaries of the Departments of Education and Labor to accept and use or dispose of gifts and donations of property and services in carrying out the act. Such authorization provides the departments with direct spending authority in the absence of an appropriation. Since donations are uncommon in other instances when agencies of these departments have this authority, and because no particular gifts are expected, CBO has not estimated any direct spending effects from this provision.

6. Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act of 1985 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1998. The pay-as-you-go effects of the bill are as follows.

(By fiscal years, in millions of dollars)

	1994	1995	1996	1997	1998
Outlays	0	0	0	0	0
Receipts	0	0	0	0	0

7. Estimated cost to State and local governments: H.R. 2884 authorizes competitive grants to states. No matching funds are required. If a state chose to participate in the program, the long-term cost to the state of implementing a school-to-work system of the scope outlined by the bill likely would exceed the funds provided by H.R. 2884.

8. Estimate comparison: None.

9. Previous CBO estimate: None.

10. Estimate prepared by: Dorothy Rosenbaum.

11. Estimate approved by: C.G. Nuckols, Assistant Director for Budget Analysis.

COMMITTEE ESTIMATE

With reference to the statement required by clause 7(a)(1) of rule XIII of the Rules of the House of Representatives, the committee accepts the estimate prepared by the Congressional Budget Office with respect to H.R. 2884.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 2884 will have no inflationary impact on prices and costs in the operation of the national economy. It is the judgment of the Committee that the inflationary impact of this legislation as a component of the Federal budget is negligible.

OVERSIGHT FINDINGS OF THE COMMITTEE

With reference to clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, the Committee's oversight findings are set forth in the Statement section of this report.

OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS

In compliance with clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, no findings or recommendations by the Committee on Government Operations were submitted to the Committee with reference to the subject matter specifically addressed in H.R. 2884.

SECTION ANALYSIS

SECTION 1. SHORT TITLE; TABLE OF CONTENTS

Section 1 provides a short title and a table of contents.

SECTION 2. FINDINGS

Section 2 contains the findings.

SECTION 3. PURPOSES AND CONGRESSIONAL INTENT

Section 3 contains the purposes, and intent of Congress in enacting the bill.

SECTION 4. DEFINITIONS

Section 4 provides definitions for the fundamental terms used in the bill.

SECTION 5. FEDERAL ADMINISTRATION

Section 5, subsection (a)(1), would provide the Secretaries the flexible administrative authority they need to jointly implement programs under this Act on a timely and effective basis. The subsection provides that notwithstanding the Department of Education Organization Act, 20 U.S.C. 3401 et seq., the General Education Provisions Act, 20 U.S.C. 1221 et seq., the statutory provisions relating to the establishment of the Department of Labor, 29 U.S.C. 551 et seq., and section 166 of the Job Training Partnership Act, 29 U.S.C. 1576, the Secretaries shall jointly administer the Act, and may issue whatever procedures, guidelines, and regulations, in accordance with 5 U.S.C. 553, they deem necessary and appropriate to administer and enforce the provisions of this Act. Subsection (a)(2) provides that the Secretaries shall, not later than 120 days after the date of the enactment, develop and submit a plan for the joint administration of this Act to the committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate for review and comment on such plan. Subsection (b)(1) provides that the Secretaries may terminate or suspend any financial assistance, in whole or in part, or not extend payments under an existing grant, if they determine that a recipient has failed to meet any requirements of this Act, any regulations under this Act, or any approved plan submitted pursuant to this Act. Subsection (b)(2) provides for notice and an opportunity for a hearing if the Secretaries terminate or suspend financial assistance, or do not extend payments under an existing grant under paragraph (1). Subsection (b)(3) provides that the Secretaries shall not delegate any of the functions or authority specified under this subsection other than to an officer

whose appointment was required to be made by and with the advice and consent of the Senate. Subsection (c) and (d) provides the Secretaries, in carrying out this Act, with the authority to accept gifts and voluntary services.

SECTION 6. AUTHORIZATION OF APPROPRIATIONS

Section 6, subsection (a), sets forth the authorization of appropriations under the Act, including an appropriation to the Secretaries of $300 million in fiscal year 1995, and such sums as may be necessary for each of the fiscal years 1996 through 2002. Subsection (b)(1) provides that the Secretaries shall reserve an amount equal to but not more than one half of one percent for School-to-Work Opportunities grants under this Act for the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau. Subsection (b)(2) provides that the Secretaries shall also reserve an amount equal to but not more than one half of one percent of the funds appropriated in any fiscal year to provide grants under subtitle C of title II for Indian youth. Subsection (b)(3) provides that the Secretaries shall also reserve an amount equal to 10 percent for any fiscal year to provide grants under Section 302(b) title III to local partnerships located in high poverty areas, and they may reserve an amount equal to not more than 5 percent of any fiscal year to carry out title IV. Subsection (c) provides that amounts authorized to be appropriated under subsection (a) are authorized to Funds obligated in any fiscal year under the Act shall remain available until expended.

Title I.—School-to-Work Opportunities Basic Program

Title I provides the basic program components of the School-to-Work Opportunities Act.

SECTION 101. GENERAL PROGRAM REQUIREMENTS

Section 101 provides the general program requirements under the Act, which are that all programs shall: (1) integrate work-based and school-based learning, integrate academic and occupational learning, and build effective linkages between secondary and post-secondary education; (2) provide students with the opportunity to complete a career major; and (3) incorporate the basic program components provided by sections 102 through 104.

SECTION 102. WORK-BASED LEARNING COMPONENT

Section 102 provides that the work-based learning component of a School-to-Work Opportunities program shall include: (1) a planned program of job training and experiences; (2) paid work experience; (3) workplace mentoring; (4) instruction in general workplace competencies; and (5) broad instruction in a variety of elements of an industry.

SECTION 103. SCHOOL-BASED LEARNING COMPONENT

Section 103 provides that the school-based learning component of a School-to-Work Opportunities program shall include: (1) career awareness and career exploration and counseling, beginning at the

earliest possible age but no later than middle school grades: (2) initial selection of a career major by interested students not later than the eleventh grade; (3) a program of study designed to meet challenging academic standards and the requirements necessary to earn a skill certificate; (4) a program of instruction and curriculum that integrates academic and vocational learning, appropriately tied to a participant's career major; (5) regularly scheduled student evaluations; and (6) mechanisms which allow students participating in a school-to-work program to transfer to a postsecondary course.

SECTION 104. CONNECTING ACTIVITIES COMPONENT

Section 104 provides that the connecting activities component of a School-to-Work Opportunities program shall include: (1) matching students with work-based learning opportunities; (2) serving as a liaison among the employer, school, teacher, parent, student, and if appropriate, other community providers; (3) providing technical assistance and services to employers and others, in designing work-based and school-based learning components counseling and case management services, and in-training teachers, mentors, and counselors; (4) providing assistance to schools and employers to integrate school-based and work-based learning and integrate academic and occupational learning; (5) providing post-program assistance to students; (6) collecting and analyzing information regarding post-program outcomes of participants; and (7) linking youth development activities under this Act with employer strategies for upgrading the skills of their workers.

Title II.—School-to-Work Opportunities System Development and Implementation Grants

Title II describes the development and implementation grants to the States.

Subtitle A.—State development grants

SECTION 201. PURPOSE

Section 201 provides that the purpose of subtitle A is to assist States and the territories in planning and developing comprehensive, statewide School-to-Work Opportunities systems.

SECTION 202. AUTHORIZATION

Section 202, subsection (a) provides that the Secretaries may provide development grants to States in such amounts as the Secretaries determine is necessary to enable such States to complete development of comprehensive, statewide School-to-Work Opportunities systems that may have begun with funds provided under the Job Training Partnership Act and the Carl D. Perkins Vocational and Applied Technology Education Act. Subsection (b) provides that, from amounts reserved under Section 6(b)(1), the Secretaries shall provide grants in accordance with this subtitle to the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, the Federated States of Micronesia, the Repub-

lic of the Marshall Islands, and Palau, to complete development of comprehensive School-to-Work Opportunities systems.

SECTION 203. APPLICATION

Section 203(a) provides that the Secretaries may not provide a development grant under section 202 to a State unless the State submits an application containing the information required by the Secretaries. Subsection (b) provides that if a State has received a grant under the Goals 2000: Educate America Act, such State shall either submit its plan under this Act as its application for a grant under subsection (a) or shall amend its plan under such Act to conform with its application for a grant under such subsection. Subsection (c) sets forth the required contents of a State application for a development grant as follows: (1) a timetable and an estimate of funding needed to complete the necessary planning and development to implement a comprehensive, statewide system; (2) a description of the manner in which key State officials will collaborate with each other in developing the State system; (3) a description of the procedure for actively involving employers and various interested parties and organizations in developing School-to-Work Opportunities programs; (4) a description of the method by which the State will coordinate its planning activities with each local partnership that has received a direct implementation grant under title III; (5) the designation of a fiscal agent to receive and be accountable for funds; and (6) a description of how the State will provide opportunities for students from low-income families, low achieving students, students with limited English proficiency, and school dropouts to participate in school-to-work programs.

SECTION 204. USE OF AMOUNTS

Section 204 provides that the Secretaries may not provide a development grant under section 202 to a State unless the State agrees that it will expend those amounts only to develop a statewide School-to-Work Opportunities system, which may include: (1) identifying or establishing State structures to administer the School-to-Work Opportunities system; (2) identifying existing secondary and postsecondary school-to-work programs which might be incorporated into the State system; (3) identifying or establishing broad-based partnerships; (4) developing a marketing plan; (5) promoting the active involvement of business in planning, developing, and implementing local School-to-Work Opportunities programs; (6) identifying ways that existing local school-to-work programs could be coordinated with the statewide School-to-Work Opportunities system; (7) supporting local planning and development activities; (8) developing training programs for teachers, counselors, mentors, and others on counseling and training women, minorities, and individuals and disabilities; (9) initiating pilot programs for testing key components of State program designs; (10) developing a State process for issuing skill certificates; (11) designing challenging curricula; (12) developing a labor market analysis system; (13) analyzing post high school experiences of recent graduates and dropouts; (14) preparing the plan required for submissions of an application for an implementation grant under subtitle B; and (15) working with localities to develop strategies to recruit and retain all students in

programs under this Act, including those from a broad range of backgrounds and circumstances.

SECTION 205. ALLOCATION REQUIREMENT

Section 205 provides that the Secretaries may not provide a development grant under section 202 to any State in an amount exceeding $1,000,000 in any fiscal year.

SECTION 206. REPORTS

Section 206 provides that the Secretaries may not provide a development grant to a State unless the State agrees that it will submit to the Secretaries such periodic reports as the Secretaries may require.

Subtitle B.—State implementation grants

Subtitle B, of title II, describes the implementation grants to the States.

SECTION 211. PURPOSE

Section 211 provides that the purpose of subtitle B is to assist States and the territories in the implementation of comprehensive, statewide School-to-Work Opportunities systems.

SECTION 212. AUTHORIZATION

Section 212, subsection (a) provides that the Secretaries may provide implementation grants to States in such amounts as the Secretaries determine is necessary to enable such States to implement comprehensive, statewide School-to-Work Opportunities systems. Subsection (b) provides that, from amounts reserved under section 6(b)(1), the Secretaries shall also provide grants in accordance with this subtitle to the territories listed in section 202(b), to implement comprehensive School-to-Work Opportunities systems in those territories. Subsection (c) describes the period of an implementation grant, and provides that the provision of payments under a grant under subsection (a) or subsection (b) shall extend over a period of 5 fiscal years and shall be subject to the annual approval of the Secretaries and subject to the availability of appropriations. Subsection (d) provides the limitation that a State or territory shall be eligible to receive only 1 implementation grant under subsection (a) or subsection (b), as the case may be.

SECTION 213. APPLICATION

Section 213(a) provides that the Secretaries may not provide an implementation grant under section 212 to a State unless the State submits an application containing such information as the Secretaries may require.

Section 213(b) provides that if a State has received a grant under the Goals 2000: Educate America Act, such State shall either submit its plan under this Act as its application for a grant under subsection (a) or small amend its plan under such Act to conform with its application for a grant.

Section 213(c) provides that an application for an implementation grant shall include: (1) a plan for a comprehensive, statewide

School-to-Work Opportunities system that meets the requirements described in subsection (d); (2) a description of how the State will allocate funds under this Act to local partnerships; and (3) a request, if the State decides to submit such a request, for 1 or more waivers of certain statutory or regulatory requirements, as provided for under title V.

Section 213(d) provides that a State plan shall: (1) designate the geographical areas to be served by partnerships, which to the extent feasible shall reflect local labor market areas; (2) describe how the State will stimulate and support local School-to-Work Opportunities programs that meet the requirements of this Act, and how the State's system will be expanded over time to cover all geographic areas in the State; (3) describe how key State officials will collaborate with each other in the implementation of the State's School-to-Work Opportunities system; (4) describe the procedure to be used in actively involving employers and various interested parties and organizations in the School-to-Work Opportunities system; (5) describe how the State School-to-Work Opportunities system will coordinate with or integrate existing local school-to-work programs and other appropriate programs, including those financed from State or private sources and other Federal programs; (6) describe the strategy for providing training for teachers, employers, mentors, counselors, and others; (7) describe how the State will adopt, develop, or assist local partnerships in the development of model curricula and innovative instructional methodologies that are consistent with academic and skill standards established pursuant to the Goals 2000: Educate America Act; (8) describe how the State will expand and improve career and academic counseling in the elementary and secondary grades; (9) describe the resources, including private sector resources, that the State intends to employ in maintaining the School-to-Work Opportunities system; (10) describe how the State will ensure effective and meaningful opportunities for all students to participate in School-to-Work Opportunities programs; (11) describe the State's goals and the methods it will use to ensure opportunities for young women to participate in School-to-Work Opportunities programs in a manner leading to employment in high-performance, high-paying jobs, including nontraditional employment, and goals to ensure an environment free from racial and sexual harassment; (12) describe how the State will ensure that low achieving students, students with disabilities, and school dropouts will have opportunities to participate in School-to-Work Opportunities programs; (13) describe the process for assessing the skills and knowledge required in career majors, and awarding skill certificates that take into account the work of the National Skill Standards Board; (14) describe the manner in which, to the extent feasible, the State will continue programs funded under title III; (15) describe how local school-to-work programs, including those funded under title III, if any, will be integrated into the State School-to-Work Opportunities system; (16) describe the performance standards the State intends to meet; (17) designate a fiscal agent; and, (18) describe the means by which students who are involved in a school-to-work program may transfer to a postsecondary program.

Section 213(e) provides that nothing in this section shall be construed to negate or supersede the authority of any official or entity responsible under State or other applicable law for authority that is similar to authority specified under this Act.

SECTION 214. REVIEW OF APPLICATION

Section 214(a) provides that the Secretaries shall review each application submitted by a State under section 213, and shall approve or disapprove such application in accordance with this section. Subsection (b) provides that the Secretaries may approve an application if the State demonstrates: (1) that the State plan is replicable, sustainable, and innovative; (2) officials listed in section 213(d)(3) will collaborate in the planning and development of the plan; (3) that other Federal, State, and local resources will be used to implement the proposed plan; (4) the extent to which such plan would limit administrative costs and increase amounts spent on delivery of services to students enrolled under this Act; and, (5) that the State will include a proposed partnership with both a rural and urban area, except that such requirement may be waived if, according to census data, the State does not have either a rural or an urban area in such State. Subsection (c) provides that if the Secretaries determine that an application submitted by a State does not meet the criteria under subsection (b) or is otherwise unsatisfactory, the Secretaries shall: (1) notify the State of the reasons for the failure to approve the application; (2) if the application does not meet the criteria under subsection (b), inform the State of the opportunity to apply for a development grant under subtitle A, except that further development funds may not be awarded to a State that receives an implementation grant; and (3) if the application is incomplete otherwise unsatisfactory, permit the State to resubmit a corrected or amended application. Subsection (d) provides that the Secretaries may use amounts reserved under section 6(b)(4) for the review of applications submitted under subsection (a).

SECTION 215. USE OF AMOUNTS

Section 215 provides that the Secretaries may not provide an implementation grant under section 212 to a State unless the State agrees that it expend those amounts received to implement the State's School-to-Work Opportunities system in accordance with the following requirements: (1)(A) the State shall provide subgrants to local partnerships, unless the partnership has received an implementation grant under title III and is not located in a high poverty area; (1)(B) the State may not provide a subgrant to a local partnership unless the partnership submits an application to the State that describes how the program will include the basic program components and meet the requirements of this Act; sets forth measurable program goals and outcomes; describes the local strategies and timetables; provides assurances that, to the extent practicable, school-to-work opportunities provided to students will be in industries and occupations offering high-skill, high-wage employment opportunities and provides such other information as the State may require. Section 215(1)(C) provides that if the State determines that an application submitted by a local partnership does not meet the criteria under subparagraph (B), or that the application is in-

complete or otherwise unsatisfactory, the State shall: (i) notify the partnership of the reasons for the failure to approve the application; and (ii) if the application is incomplete or otherwise unsatisfactory, permit the partnership to resubmit a corrected or amended application. Section 215(1)(D) provides that the State may not provide a subgrant under subparagraph (A) to a local partnership unless the partnership agrees that it will use the subgrant to carry out activities to implement School-to-Work Opportunities programs described in title I, and such activities may include: (1) recruiting and assisting employers to provide the work-based learning components; (2) establishing consortia of employers; (3) supporting or establishing intermediaries; (4) designing or adapting school curricula that can be used to integrate academic and vocational learning, school-based and work-based learning, and secondary and postsecondary education; (5) providing training to work-based and school-based staff; (6) designing or expanding and improving career awareness, exploration, and counseling activities, beginning at the earliest possible age, but beginning no later than the middle school grades; (7) establishing in participating schools a graduation assistance program to assist at-risk students, low-achieving students, and students with disabilities in graduating from high school, enrolling in postsecondary education or training, and finding or advancing in jobs; (8) providing supplementary and support services, including child care and transportation; (9) conducting or obtaining local labor market analysis; (10) integrating work-based and school-based learning into existing job training programs for school dropouts; (11) establishing or expanding school-to-apprenticeship programs in cooperation with registered apprenticeship agencies; (12) assisting participating employers in identifying and training workplace mentors and developing work-based learning components; (13) promoting the formation of partnerships between elementary, middle, and secondary schools and local businesses; (14) designing local strategies to provide adequate planning time and staff development activities for teachers, school counselors, and school site mentors; (15) enhancing linkages between existing after-school, weekend, and summer jobs, career exploration and school-based learning; and (16) coordinating recruitment of dropouts and at-risk and disadvantaged youths by the local partnership with recruitment of these individuals by organizations and institutions which have a history of success in working with these targeted individuals. Section 215(1)(E) provides that the State may not provide a subgrant under subparagraph (A) to a local partnership unless the partnership agrees that it will establish a process by which the responsibilities and expectations of students, parents, employers, and schools are clearly established and agreed upon at the point of entry of the student into a career major program of study. Section 215(1)(F) provides that the partnership may not use more than 5 percent of amounts received from a subgrant under subparagraph (A) for any fiscal year for administrative costs associated with activities in carrying out, but not including, activities under subparagraphs (D) and (E) for such fiscal year. Section 215(1)(G) provides that a State receiving amounts from a grant under section 212 shall use not less than 70 percent to provide subgrants to partner-

ships to the State in the first fiscal year, 80 percent of such sums in the second fiscal year, and 90 percent thereafter.

Section 215 (2) provides that a State may also use funds for the following activities: (1) recruiting and assisting employers; (2) conducting outreach; (3) providing training for teachers, employers, workplace mentors, counselors, and others; (4) providing labor market information to partnerships; (5) designing or adapting model curricula that can be used to integrate academic and vocational learning, school-based and work-based learning, and secondary and postsecondary education; (6) designing or adapting model work-based learning programs and identifying best practices; (7) conducting outreach activities and providing technical assistance to other States that are developing or implementing School-to-Work Opportunities systems; (8) reorganizing and streamlining State systems to facilitate the development of a comprehensive School-to-Work Opportunities system; (9) identifying ways that existing local school-to-work programs could be integrated with the statewide School-to-Work Opportunities system; (10) designing career awareness and exploration activities; (11) designing and implementing school-sponsored work experiences; and (12) encouraging the formation of partnerships between elementary, middle, and secondary schools and local businesses.

SECTION 216. ALLOCATION REQUIREMENT

Section 216 provides that the Secretaries shall establish the minimum and maximum amounts available for an implementation grant under section 212, and shall determine the actual amount granted to any State based on such criteria as the scope and quality of the plan and the number of projected program participants.

SECTION 217. ADMINISTRATIVE COSTS

Section 217 provides that a State may not use more than 5 percent of amounts received from an implementation grant under section 212 for administrative costs associated with activities in carrying out, but not including, activities under section 215.

SECTION 218. REPORTS

Section 218 provides that a State may not receive an implementation grant under section 212 unless the State agrees to submit such periodic reports to the Secretaries, relating to the use of grant funds, as the Secretaries may require.

Subtitle C.—Development and implementation grants for school-to-work programs for Indian youths

Subtitle C provides for development and implementation grants for School-to-Work programs for Indian youths.

SECTION 221. AUTHORIZATION

Section 221(a) provides that, from amounts reserved under section 6(b)(2), the Secretaries shall provide grants to establish and carry out School-to-Work Opportunities programs for Indian youths. Subsection (b) provides that the Secretaries may carry out subsection (a) through such means as they find appropriate, includ-

ing transferring funds to the Secretary of the Interior, and providing financial assistance to Indian tribes and Indian organizations.

SECTION 222. REQUIREMENTS

Section 222 states that in providing grants under section 221, the Secretaries shall require recipients of such grants to comply with requirements similar to those requirements imposed on States under subtitles A and B of this title.

Title III.—Federal Implementation Grants to Local Partnerships

Title III describes Federal implementation grants to local partnerships.

SECTION 301. PURPOSES

Section 301 provides that it is the purpose of this title to authorize the Secretaries to provide competitive grants directly to local partnerships in States in order to provide funding for communities that have built a sound planning and development base for School-to-Work Opportunities programs and are ready to begin implementing a local School-to-Work Opportunities program. The section also provides that it is the purpose of this title to authorize the Secretaries to provide competitive grants to local partnerships to implement School-to-Work Opportunities programs in high poverty areas of urban and rural communities.

SECTION 302. AUTHORIZATION

Section 302, subsection (a)(1), provides that the Secretaries may provide implementation grants directly to local partnerships in such amounts as the Secretaries determine is necessary to enable such partnerships to implement a School-to-Work Opportunities program. Subsection (a)(2) provides the restrictions that a local partnership: (A) shall be eligible to receive only one grant under this subsection; (B) shall not be eligible to receive a grant under this subsection if such partnership is located in a State that has been provided an implementation grant under section 212 and has received amounts from such grant for any fiscal year after the first fiscal year under such grant; and (C) that receives a grant under this subsection shall not be eligible to receive a grant under subsection (b).

Section 302(b) provides that, subject to paragraphs (2) and (3), the Secretaries shall, from amounts reserved under section 6(b)(3), provide grants to local partnerships located in high poverty areas in such amounts as the Secretaries determine is necessary to enable such partnerships to implement a School-to-Work Opportunities program in such areas. Subsection (b)(2) provides that a local partnerships: (A) shall be eligible to receive only one grant under this subsection; and, (B) that receives a grant under this subsection shall not be eligible to receive a grant under subsection (a). Subsection (b)(3) provides that in providing grants under paragraph (1), the Secretaries shall give priority to local partnerships that have a demonstrated effectiveness in the delivery of comprehensive vocational preparation programs.

Section 302(c) provides that the provision of payments under a grant under subsection (a) or (b) shall extend over a period of five fiscal years and shall be subject to the annual approval of the Secretaries and subject to the availability of appropriations for the fiscal year involved to make the payments.

SECTION 303. APPLICATION

Section 303(a) provides that the Secretaries may not provide an implementation grant under section 302 to a local partnership unless the partnership (1) submits to the State for review and comment an application in such form and containing such information as the Secretaries may reasonably require; and (2) submits such application to the Secretaries.

Section 303 (b)(1) provides that the State shall provide for review and comment on the application under subsection (a) not later than 30 days after the date on which the State receives the application from the local partnership. Subsection (b)(2) provides that if the State does not provide review and comment within the 30-day time period specified in paragraph (1), the local partnership may submit the application to the Secretaries without first obtaining such review and comment.

Section 303 (c) discusses the contents for the grant application which include the following: (1) designation of a fiscal agent; (2) the State's comments regarding such application; (3) information consistent with the content requirements for a State plan; and, (4) a description of how the partnership will meet the other requirements of this Act.

Section 303 (d) provides that the Secretaries may use amounts reserved under section 6(b)(4) for the review of applications submitted under subsection (a).

SECTION 304. USE OF AMOUNTS

Section 304 provides that the Secretaries may not provide an implementation grant under section 302 to a local partnership unless the partnership agrees that it will use all amounts from such grant to carry out activities to implement a School-to-Work Opportunities program described in title I, including the activities described in clauses (i) through (xvi) of section 215(1)(C).

SECTION 305. CONFORMITY WITH APPROVED STATE PLAN

Section 305 provides that the Secretaries may not award a grant under section 302 to a local partnership located in a State that has an approved plan unless the Secretaries determine, after consultation with the State, that the plan submitted by the partnership is in accord with the approved State plan.

SECTION 306. REPORTS

Section 306 provides that the Secretaries may not provide an implementation grant under section 302 to a local partnership unless the partnership agrees that it will submit to the Secretaries such periodic reports as the Secretaries may reasonably require relating to the use of amounts from such grant.

SECTION 307. HIGH POVERTY AREAS DEFINED

Section 307 defines the term "high poverty area" as a census tract, a contiguous group of census tracks, a nonmetropolitan county, a Native American Indian reservation, or an Alaska Native village, with a poverty rate of 30 per cent or more, as determined by the Bureau of the Census, or areas that have an unemployment rate greater than the national average unemployment for the most recent 12 months for which satisfactory data are available.

Title IV.—National Programs and Reports

Title IV contains provisions relating to National programs and reports.

SECTION 401. RESEARCH, DEMONSTRATION AND OTHER PROJECTS

Section 401(a) provides that, from funds reserved under section 6(b)(4), the Secretaries shall conduct research and development and establish a program of experimental and demonstration projects, to further the purposes of this Act. Subsection (b) provides that funds reserved under section 6(b)(4) may also be used for programs or services authorized under any other provision of this act that are most appropriately administered at the national level and that will operate in, or benefit more than, one State.

SECTION 402. PERFORMANCE OUTCOMES AND EVALUATIONS

Section 402(a) provides that the Secretaries, in collaboration with the States, shall by grants, contracts, or otherwise, establish a system of performance measure to assess and evaluate State and local programs, including assessing the outcomes of participating students and school dropouts.

Section 402(b) provides that the Secretaries shall conduct a national evaluation of School-to-Work Opportunities programs funded under this Act that will track and assess the progress of implementation of State and local programs and their effectiveness based on measures such as those described in subsection (a).

Section 402(c) provides that each State shall provide periodic reports, at such intervals as the Secretaries determine, which contain information described in subsection (a), and information on the extent to which current Federal programs implemented at the State and local level may be duplicative, outdated, overly restrictive, or otherwise counter-productive to the development of School-to-Work Opportunities systems.

SECTION 403. TRAINING AND TECHNICAL ASSISTANCE

Section 403(a) provides that the Secretaries shall work in cooperation with the States, the State sex equity coordinators, employers and their associations, secondary and postsecondary schools, student and teacher organizations, organized labor, and community-based organizations to increase their capacity to develop and implement effective School-to-Work Opportunities programs.

Section 403(b) provides that the Secretaries shall provide, through grants, contracts, or other arrangements—(1) training,

technical assistance, and other activities that will: (A) enhance the skills, knowledge, and expertise of the personnel involved in planning and implementing State and local School-to-Work Opportunities programs, such as training of personnel to assist students; and (B) improve the quality of services provided to individuals served under this Act; and, (2) assistance to States and local partnership in order to integrate resources available under this Act with resources available under other Federal, State, and local authorities; and (3) assistance to States and local partnership to recruit employers to provide the work-based learning component of School-to-Work Opportunities programs.

SECTION 404. AMENDMENT TO THE JOB TRAINING PARTNERSHIP ACT TO PROVIDE SCHOOL-TO-WORK OPPORTUNITIES ACTIVITIES FOR CAPACITY BUILDING AND INFORMATION AND DISSEMINATION NETWORK

Section 404(a) provides an amendment to the Job Training Partnership Act to provide School-to-Work Opportunities activities for a capacity building and information and dissemination network, which will assist the Secretaries in carrying out their responsibilities under the School-to-Work Opportunities Act.

SECTION 405. REPORTS TO CONGRESS

Section 405 provides that not later than 24 months after the date of the enactment of this Act, and every 12 months thereafter, the Secretaries shall submit a report to the Congress on all School-to-Work Opportunities programs carried out pursuant to this Act. The Secretaries shall, at a minimum, include in each such report information concerning the programs that receive assistance under this Act; a summary of the information contained in the State and local partnership reports submitted under titles II and III and section 402(c); and information regarding the findings and actions taken as a result of any evaluation conducted by the Secretaries.

Title V.—Waiver of Statutory and Regulatory Requirements

Title V contains provisions relating to the waiver of statutory and regulatory requirements.

SECTION 501. STATE AND LOCAL PARTNERSHIP REQUESTS AND RESPONSIBILITIES FOR WAIVERS

Section 501, subsection (a), provides that a State may submit, as a part of the State plan (or as an amendment to the plan) described in section 213(d), a request for a waiver of one or more statutory or regulatory provisions described in section 502 or 503 from the Secretaries in order to carry out the School-to-work Opportunity system established by such State.

Section 501(b)(1) provides that a local partnership that seeks a waiver of any of the laws specified in section 502 or 503 shall submit an application for such waiver to the State, and the State shall determine whether to submit the application for a waiver to the Secretaries.

Subsection (b)(2) provides that the State shall make a determination to submit the application under paragraph (1) not later than 30 days after the date on which the State receives the application

from the local partnership; and, if the State does not make a determination to submit the application within the 30-day time period, the local partnership may submit the application to the Secretaries without first obtaining such review and comment.

Section 501(c) provides that a request by a State must meet the criteria contained in section 502 or section 503 and shall specify the laws or regulations referred to in those sections that the State wants waived.

SECTION 502. WAIVER AUTHORITY OF SECRETARY OF EDUCATION

Section 502, subsection (a)(1), provides the factors that the Secretary of Education must consider, when evaluating a State's request for a waiver from laws and regulations administered by the Department of Education. It also contains the requirements that a State must meet when it applies for a waiver, such a providing all participating local educational agencies and partnerships in the State with notice and an opportunity to comment on the State's proposal to seek a waiver. Subsection (a)(2) provides that the Secretary of Education shall promptly approve or disapprove any request submitted pursuant to paragraph (1) and shall issue a decision that includes the reasons for approving or disapproving the request. Subsection (a)(3) provides that, in approving a request under paragraph (2), the Secretary of Education shall consider the amount of State resources that will be used to implement the State plan. Subsection (a)(4) provides that the waivers shall be for no more than five years, but may be extended by the Secretary of Education. Subsection (b) identifies the statutes subject to the waiver authority of the Secretary of Education. Subsection (c) lists certain requirements of law that cannot be waived. Subsection (d) provides that the performance of States and partnerships granted waivers will be periodically reviewed, and that the Secretary is authorized to terminate the waiver if State or local performance has been inadequate to justify a continuation of the waiver, or the State has failed to waive similar requirements of State law as required or agreed to in accord with section 502(a)(1)(B).

SECTION 503. WAIVER AUTHORITY OF SECRETARY OF LABOR

Section 503 provides for waiver authority similar to that of section 502, for the Secretary of Labor with respect to the Job Training Partnership Act or any regulation issued under such provision. Like section 502, this section contains the requirements that a State must meet when it applies for a waiver; the Secretary's prompt approval or disapproval of the waiver request; and the specification that these waivers would be for no more than five years, but may be extended by the Secretary of Labor. Subsection (b) lists certain requirements of law that cannot be waived. Subsection (c) provides that the performance of States and partnerships granted waivers will be periodically reviewed, and that the Secretary is authorized to terminate the waiver if State or local performance has been inadequate to justify a continuation of the waiver, or the State has failed to waive similar requirements of State or territory law as required or agreed to in accord with section 503(a)(1)(B).

SECTION 504. COORDINATION OF FEDERAL FUNDS FOR HIGH POVERTY SCHOOLS

Section 504 provides for coordination of Federal funds for high poverty schools. Subsection (a) provides that in order to integrate existing school-to-work transition activities with activities under this Act and maximize the effective use of resources, a local partnership may carry out school-to-work activities in schools that serve a school attendance area that meets the requirements of subparagraphs (A) and (B) of section 263(g)(1) of the Job Training Partnership Act by combining Federal funds under this Act with other Federal funds. Subsection (b) provides that a local partnership may use the Federal funds consolidated under this section under the term and requirements of this Act. Subsection (c) provides that a local partnership seeking to combine funds under this section must include, in its application under section 213, the following: (1) a description of the funds it proposes to consolidate; (2) the activities to be carried out with those funds; (3) the specific outcomes expected of participants; and (4) such other information as the State may require. Subsection (d) provides that the local partnership shall, to the extent feasible, provide information on the proposed consolidation to parents, students, educators, advocacy and civil rights organizations, other interested parties, and the public.

Title IV.—Safeguards

Title VI contains only section 601, which provides for certain safeguards for the School-to-Work Opportunities programs, which include: (1) prohibiting discrimination; (2) prohibiting funds appropriated under this Act being expended for the wages of youth participants or workplace mentors; (3) the labor standards contained in section 143 of the Job Training Partnership Act (29 U.S.C. 1553), except for the standards contained in subsection (a)(4) of such section; (4) nothing in this Act shall be construed to provide any individual with an entitlement to the services authorized by this Act; (5) nothing in this Act shall be construed to negate or supersede the authority of any official or entity responsible under State or other applicable law for authority that is similar to authority specified under this Act; (6) funds provided under this Act shall be used to supplement and not to supplant Federal, State, and local public funds expended to provide services for existing school-to-work opportunities systems and programs; and (7) such other safeguards as the Secretaries deem appropriate.

Title VII.—Reauthorization of Job Training for the Homeless Demonstration Program Under the Stewart B. McKinney Homeless Assistance Act

Title VII contains only section 701, which provides for the reauthorization of job training for the homeless demonstration program under the Stewart B. McKinney Homeless Assistance Act, Section 739(a), (42 U.S.C. 11449(a)).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 453 OF THE JOB TRAINING PARTNERSHIP ACT

CAPACITY BUILDING, INFORMATION, DISSEMINATION, AND REPLICATION ACTIVITIES

SEC. 453. (a) NATIONAL STRATEGY.—The Secretary shall develop a national strategy for carrying out the activities described in subsection (b)(2) and the replication of programs described in subsection (c), and shall ensure the implementation of the national strategy.

(b) NETWORK.—

(1) * * *

(2) ACTIVITIES.—The Network shall—

(A) * * *

* * * * * * *

(C)(i) identify, develop, disseminate, and provide training in the techniques learned from, innovative and successful program models, materials, methods, and information, by using computer-based technologies for organizing a data base and dissemination and communication system for the Network, and establishing a computer-based communications and dissemination methodology to share information among employment and training personnel and institutions; and

(ii) in identifying such program models, ensure that consideration shall be given to—

(I) the size and scope of the program;

(II) the length of time that the program has been operating;

(III) the nature and reliability of measurable outcomes for the program;

(IV) the capacity of the sponsoring organization to provide the technical assistance necessary for States and service delivery areas to replicate the program; and

(V) the likelihood that the program will be successful in diverse economic, geographic, and cultural environments[.]; *and*

(D)(i) from the amount appropriated pursuant to section 6(a) of the School-to-Work Opportunities Act of 1993, collect and disseminate information—

(I) on successful school-to-work programs carried out pursuant to such Act and innovative school and work-based curriculum;

(II) on research and evaluation conducted concerning school-to-work opportunities activities;

(III) that will assist States and partnerships in undertaking labor market analysis, surveys or other activities related to economic development;

(IV) on skill certificates, skill standards and related assessment technologies; and

(V) on methods for recruiting and building the capacity of employers to provide work-based learning opportunities; and

(ii) from such amount, facilitate communication and the exchange of information and ideas among States and partnerships carrying out school-to-work opportunities programs pursuant to such Act.

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SECTION 739 OF THE STEWART B. McKINNEY HOMELESS ASSISTANCE ACT

SEC. 739. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subtitle [the following amounts:

[(1) $14,000,000 for fiscal year 1991, of which $2,200,000 shall be available only to carry out section 738.

[(2) $15,000,000 for fiscal year 1992, of which $2,200,000 shall be available only to carry out section 738.

[(3) $17,000,000 for fiscal year 1993, of which $2,200,000 shall be available only to carry out section 738.] *such sums as may be necessary for each of the fiscal years 1994 and 1995.*

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SUPPLEMENTAL VIEWS OF REPRESENTATIVES ARMEY, BALLENGER, BARRETT AND BOEHNER

We are very concerned with the number of job training programs that already exist in the Federal government. A 1992 GAO study indicated that there are 125 Federal job training programs spread out through 14 Federal departments and agencies. We have also seen studies that indicate that there are in excess of 150 programs. These programs create a duplication of services, an overlapping of responsibilities, and unnecessary administrative costs.

For example, there are approximately:

90 programs providing counseling and assessment,
75 providing occupational training,
70 providing remedial and basic skills training,
50 providing job placement,
45 providing on-the-job training,
40 providing job search training, and
40 providing for job creation.

If you examine the populations that these programs target, you find that there are approximately:

65 programs targeted at the economically disadvantaged,
45 targeted at those below 22 years of age,
35 targeted at those with physical or mental disabilities,
30 targeted at the unemployed or dislocated workers,
25 targeted at the educationally disadvantaged,
20 targeted at ethnic/racial groups and women,
20 targeted at veterans,
10 targeted at migrants and seasonal farm workers, and
10 targeted at older workers.

We are also aware that Secretary of Labor Robert Reich has already proposed a job training program for workers displace as a result of the North American Free Trade Agreement and that there are plans to create job training programs for those displaced by the defense cuts.

With this in mind, we are very concerned that the school-to-work program will be just another Federal job training program. In an environment where the American people are calling for a smaller and more efficient government, this legislation increases the number of Federal government job training programs. Before we considered this program, we should have looked to consolidating and eliminating some of the other job training programs. Instead, we merely added yet another program.

JOHN BOEHNER.
BILL BARRETT.
DICK ARMEY.
CASS BALLENGER.

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